DOCUMENT RESUME

ED 455 486 CG 031 096

TITLE	School Violence: What Is Being Done To Combat School Violence? What Should Be Done? Hearing before the Subcommittee on Criminal Justice, Drug Policy, and Human Resources of the Committee on Government Reform. House of Representatives, One Hundred Sixth Congress, First Session (May 20, 1999).
INSTITUTION	Congress of the U.S., Washington, DC. House.
REPORT NO	Senate-Hrg-106-111
PUB DATE	2000-00-00
NOTE	220p.
AVAILABLE FROM	U.S. Government Printing Office, Superintendent of Documents, Mail Stop: SSOP, Washington, DC 20402-9328. Web site: http://www.house.gov/reform or http://www.gpo.gov/congress/house.
PUB TYPE	Legal/Legislative/Regulatory Materials (090) -- Reports - Evaluative (142)
EDRS PRICE	MF01/PC09 Plus Postage.
DESCRIPTORS	Elementary School Students; Elementary Secondary Education; *Government Role; High Risk Students; Internet; Prevention; Role of Education; Secondary School Students; Social Problems; *Violence

ABSTRACT

School violence at all levels of education is an issue that Congress has a responsibility to address. By calling together diverse groups from across the Nation, this subcommittee of the House of Representatives worked with federal, state, and local officials to confront a national problem. Statements and letters were received from representatives from the Substance Abuse and Mental Health Services Administration; the National District Attorneys Association; the National Association of School Counselors; the National Rifle Association; law enforcement officers; and university and school personnel. The hearing focused on whether federal programs operate efficiently and effectively in combating school violence and whether needed improvements are being made. It attempted to gather information on what promising approaches are being pursued in states, communities, and schools and what Congress can do to facilitate these goals. Questions were also addressed concerning the Internet and its potential role in promoting violence. (Contains 79 references.) (JDM)

ED 455 486

SCHOOL VIOLENCE: WHAT IS BEING DONE TO COMBAT SCHOOL VIOLENCE? WHAT SHOULD BE DONE?

HEARING

BEFORE THE

SUBCOMMITTEE ON CRIMINAL JUSTICE,
DRUG POLICY, AND HUMAN RESOURCES

OF THE

COMMITTEE ON
GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

MAY 20, 1999

Serial No. 106–111

Printed for the use of the Committee on Government Reform

Available via the World Wide Web: http://www.gpo.gov/congress/house
http://www.house.gov/reform

U.S. GOVERNMENT PRINTING OFFICE
63–843 CC WASHINGTON : 2000

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SCHOOL VIOLENCE: WHAT IS BEING DONE TO COMBAT SCHOOL VIOLENCE? WHAT SHOULD BE DONE?

THURSDAY, MAY 20, 1999

House of Representatives,
Subcommittee on Criminal Justice, Drug Policy,
and Human Resources,
Committee on Government Reform,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:13 a.m., in room 2154, Rayburn House Office Building, Hon. John L. Mica (chairman of the subcommittee) presiding.

Present: Representatives Mica, Barr, Souder, Hutchinson, Ose, Sanford, Mink, Towns, Cummings, Kucinich, and Tierney.

Staff present: Sharon Pinkerton, deputy staff director; Steve Dillingham, special counsel; Amy Davenport, clerk; Cherri Branson, minority counsel, and Ellen Rayner, minority chief clerk.

Mr. Mica. Good morning. I would like to call this meeting of the House Subcommittee on Criminal Justice, Drug Policy, and Human Resources to order.

The topic of our hearing this morning is "School Violence: What is Being Done to Combat School Violence? What Should be Done?"

I am going to give an opening statement first, as an order of procedure. Then we will hear from the ranking member and other members on the topic before us. Finally, we will hear from four panels of witnesses.

I actually wrote this opening statement before this morning's news. I said in my opening sentence, "School violence, a recurring problem, has dominated the news in recent weeks," and maybe now I should edit it to say "School violence, a recurring problem dominates the news even today with yet another tragic act of violence in Atlanta, GA." As we begin the hearing this morning, our thoughts and prayers are with that community, and those affected by this senseless violence.

While student deaths receive the most media attention, the Department of Justice Bureau of Justice statistics tells us that thousands of violent crimes occur everyday in, and near our schools.

In 1996, approximately 225,000 non-fatal, serious crimes occurred at schools, and about 671,000 away from schools. The tragic events at Columbine High School in Littleton, CO and its aftermath have riveted our national attention on this pressing and perplexing issue. Needless acts of violence are always reprehensible, but vicious and multiple killings in our schools that take the lives of our innocent children are among the most tragic and heartwrenching events imaginable. I am thankful that my children have completed their high school education without having experienced such violence.

School violence at all levels is an issue that Congress has a responsibility to address. We are obligated to determine what more can be done to protect children of all ages, particularly from acts of violence associated with our schools.

Our subcommittee today is exercising its oversight responsibility over the Department of Justice, the Department of Health and Human Services, and the Department of Education. I don't think there is another subcommittee in Congress that has such broad authority, so our role is very important as it covers many of these Federal agencies that deal with the problems of violence in our education system.

Every member of this panel is committed to ensuring that our Federal, State, and local officials and groups are working together to confront a national problem. Clearly, those on the front line in preventing youth violence in our schools and communities have valuable experiences and insight as to what is being done and what should be done to combat school violence. My colleague and the ranking member of this subcommittee, the gentlewoman from Hawaii, Mrs. Mink, has joined me in calling for a hearing on this critical issue. She was one of those who originally called for Congress' investigation and a review of what is going on and I commend her for that.

We have included a number of panelists here today at both the request of the minority and the majority because we realize that combating school crime and identifying effective preventative measures to lessen violence in our schools is not a partisan issue. I do recognize, however, that members and those testifying here today may have different opinions regarding how best to accomplish the shared goal of preventing school violence, and we look forward to learning more about these ideas and opinions. I am especially pleased that we have many representatives of our State and local schools, law enforcement, and prosecution communities who are involved with these very serious issues every day.

Today, our Federal Government has a number of Federal programs and agencies that spend hundreds of millions of taxpayer dollars to address the problem of school violence. It is an especially important matter for this subcommittee that our Federal programs provide the targeted and effective assistance that is needed by our States, our cities, and our local communities and schools.

We will learn, today, that the Department of Health and Human Resources has vast resources and personnel dedicated to our Nation's mental health needs. The Substance Abuse and Mental Administration is a component of HHS and is responsible for providing leadership and assistance to States and our communities in meeting the mental health needs of our Nation. It is clear that mental health aspects of school violence are particularly significant. What is it that leads a student to commit or even consider such heinous acts? And if we know some of the psychological factors associated with these violent behaviors, what are we doing about it? Do our Federal programs accomplish their goals efficiently and effectively? Is the Federal Government helping or hurting with these programs and policies? Every dollar dedicated to this very significant and terrible problem must be put to maximum use and problems and inefficiencies must be remedied.

Another Federal department over which we have oversight responsibility is the Department of Education. A component of the Department, which has direct responsibility for combating school violence through educational initiatives, is the Safe and Drug Free Schools Program. We must not forget the strong relationship between drug abuse and violent behavior, whether or not drug abuse is directly linked with the most recent tragic events or not. The prevention of drug abuse goes hand in hand with crime prevention and the reinforcement of lawful and responsible behaviors. Are Federal agencies, particularly the Safe and Drug Free Schools Program, maximizing available resources in these efforts?

Many questions have been raised in the past about program effectiveness and accountability. Is there evidence that promised improvements have been made? If not, then why? This program has a substantial budget of more than $566 million this year alone—over half a billion—and has spent an estimated $6 billion since 1986. Has this been a wise investment?

We will hear about some of the changes that have been attempted as well as new programs that are being instituted, such as the Safe Schools, Healthy Students initiative. Do these initiatives represent the best knowledge and employ the very best practices? Are they efficient and effective? Are they sufficiently targeting the most critical needs? Do States and local communities have ample discretion to tailor the resources to their particular needs?

Another issue that we will discuss today is an issue many people single out as being a major concern, which is violence in our schools from weapons. Our role today as an oversight subcommittee for the Department of Justice requires us to also ask a key question: Is the Justice Department vigorously enforcing the firearm laws we have had on the books for the last 6 years? Why is it that Congress passed a law in 1994 criminalizing gun possession by juveniles, and there have been only 13 cases prosecuted in the last 2 years? There have been 11 prosecutions for illegal transfer of guns to juveniles—that is only 11 prosecutions. This seems to me to be a serious lapse in the Department of Justice's commitment to this issue.

I am particularly concerned that our request to have a representative of the Department of Justice come and testify about what they are doing has been turned down, but I have talked to the ranking member. We are not going to subpoena that witness today, but we will give the Department of Justice an opportunity in the near future to come and respond to some of these questions.

What we may not consider today is a more fundamental question: Are guns, bombs, violent movies and other such influences causing the problem or has our system of values, morals, faith, family structure and failed role models brought about these problems? Hopefully, this hearing will provide us with insight as to what the Federal Government is doing to address the problems of Columbine, Jonesboro, Paducah, and, today, Atlanta.

I want to take this opportunity to thank our panelists from various States and communities and schools who will share their experience and insight with our subcommittee. I know that the introduction into our schools of sworn human resource officers, skilled counselors, and alternative learning approaches for at-risk students can play a very important and significant role in a school's ability to combat and prevent aberrant behaviors and acts of violence.

I also realize that sometimes too much is expected of our teachers and schools and that parents, families and churches are primarily responsible for instilling the values we want our children to share. I hope that the approaches that we are employing foster and supplement our families and religious institutions rather than conflict with them.

Specifically, I would like this hearing to examine the following issues: first, are our Federal programs operating efficiently and effectively in combating school violence and are needed improvements being made? Second, what promising approaches are being pursued in our States and communities and schools? What, if anything, should Congress do to facilitate or reinforce these efforts? Third, what is the current state of our knowledge of this complex and often perplexing issue, and what is being done to learn more about factors that contribute to school violence? And I have added a fourth thing that I would like to address either in this subcommittee hearing or in additional hearings that we will conduct. Are we able to keep the law up to date with technology? I added this because I received a copy of this from one of my staffers who does work with the Internet and handles all of our computer operations, and he pulled up this anarchist's cookbook, and it is pages and pages of instruction about how to make a bomb or explosive devices. And, so my fourth question today, is has the law kept up with technology, and what do we need to do in that regard?

So, with these and other questions, again, on a morning when we have experienced another tragedy of school violence, I am pleased to yield to our ranking member, Mrs. Mink, the gentlelady from Hawaii, for her opening statement.

Mrs. MINK. I thank the chairman for yielding me time and for agreeing to call the hearing.

This is a topic that probably, if we had convened before Littleton, may not have brought the attention of so many individuals. However, after the tragic occurrences in Colorado and again this morning being reminded that it is a continuing crisis erupting in our schools, it is extremely timely that this committee, having oversight responsibility, take a serious look at what the Federal Government can do, what it is doing or could do better, or what it should not be doing? And I think it is very appropriate that we begin today with an examination of this very, very serious topic.

I do not believe that it is for members of this subcommittee or even of the full committee or of Congress to try to come up with specific ways in which we can assure the country that these events are not going to happen. I think that is beyond our capacity and beyond the capacity, really, of school superintendents or principals or community leaders. To look around for blame and leveling accusations of failures or inaction by officials that have responsibility is not the mission of this oversight committee.

Our search today in calling this vast array of witnesses is to sincerely make an attempt to examine what, in these individuals' perspectives, who are all experts—experienced leaders who work in the field of education or in the field of research in these matters having to do with violence in our society—what they think the role of the Congress and the Federal Government might be.

I think this is a State and local responsibility, something that the schools, themselves, have to deal with, and I don't—as one member of this subcommittee and of the Congress—propose in any way to issue more mandates or more laws that will dictate policy. I think it is something that the individual schools and local districts have to come up with. But, at the same time, I do believe the Federal Government has a unique responsibility to examine what is there in terms of assistance on the State and local level and what further things the Federal Government might do. It is in this area that I think we have a profound responsibility to make an honest search to see that these incidents occurring in our schools do not happen.

Of course, if we took guns away and made sure that guns never had entry into our schools, that would eliminate this type of violence, but I think it goes far beyond just doing a physical examination for guns. It goes to the whole psychology of our youth and what we can do as responsible leaders and legislators to try to help our youngsters deal with their internal conflicts, their psychological problems, their anger, their hate, or whatever it is that motivates them to this type of criminal behavior.

I would like to take, also, this opportunity to research the programs that Congress has already enacted and funded to see whether they are working, to see whether we can expand them, whether we should move in other directions. So, our oversight responsibilities are very expansive, and I hope that we will pursue this inquiry with the diligence which is required.

Given the announcement of the shootings in Atlanta, we have a huge impending crisis, and I wondered out loud as I heard this story come over the television this morning, if it would not be wise for our schools to shut down the remainder of the school year—there is only a couple of weeks, in fact, in some places, days left—in order to calm the environment? I have absolutely no doubt that young people simulate what they see and hear, and no one can direct my thinking otherwise. That is the power of television and the power of the gruesome stories that we see nightly. So, perhaps, to calm the situation and make sure this thing doesn't repeat itself in the next several days and weeks and before the end of the school year, this might be a serious alternative that could be considered.

Undoubtedly, the Federal Government and the Congress has a leadership responsibility, and we are here today as a subcommittee to begin the process of determining what it is that we should, not as mandates but as leaders, to try to pave the way toward solutions that lead to prevention, which is my primary objective. Is it school counselors? What sort of things can we do to improve the ability of school administrators to deal with the problem and to try to counsel the parents and the community and the students affected to lead them away from the temptation of violence of this sort?

So, I commend the Chair of this subcommittee for taking the lead and embarking upon this very, very important and crucial examination of school violence, and I hope that we will conclude these meetings with some very meaningful suggestions that we can make to the Government, to the Congress, itself, to appropriators who fund the programs that we determine to be important and helpful.

So, thank you, Mr. Chairman.

Mr. MICA. I thank the gentlelady and yield now to the gentleman from Arkansas, Mr. Hutchinson, for an opening statement.

Mr. HUTCHINSON. Mr. Chairman and ranking member, I am just delighted that you are conducting this hearing. I think it is extraordinarily important. We, in Arkansas, certainly understand the tragedy of school violence with the shooting that occurred in Jonesboro. It is an issue that concerns our Nation, each of our States, and, as a parent of teenagers, it certainly reaches deep into the heart of every American. And, so I am grateful for this hearing. There are no easy answers, but we have to address it; we have to hear from people; we have to hear from teenagers, teachers, and others. I am pleased with this hearing and look forward to the testimony of the panelists today and to participating in the hearing.

Mr. MICA. Thank the gentleman.

I now recognize for an opening statement, the gentleman from New York, Mr. Towns.

Mr. TOWNS. Thank you very much, Mr. Chairman, and let me thank you and also the ranking committee chairperson, Mrs. Mink, for holding this hearing today.

I think this is a very timely hearing; no question about that. But I think that Congresswoman Mink touched upon it—that for some reason we think blame is a solution to the problem. Well, blame is not a solution to this problem. I think we have to stop and look at where we are, at what we are doing. We continue to cut out various programs and then expect not to have any problems.

Years ago, we had a lot of intramural programs; we had afterschool programs—we had a debating society; we had varsity as well as junior varsity—and all these activities gave young people a sense of value. They felt they were involved in something; they were involved in the community, but now they seem to be disconnected. We continue to move in this direction not recognizing that we are not saving money in the long run and we are hurting people in a lot of ways. So, I think that we now have to stop and take a very serious look at where we are and say, "Wait a minute, what we are doing is just not working." We have problems. Let us now go back and do some of the things we have done in the past. Sure, a person might not be able to make the varsity team, but that doesn't mean they should not be involved in something. Also, there is no law that says that the school should shut down at three o'clock and nobody should be allowed in it. I think that the activities could go on in many, many ways. I think if we had strong debating teams, then maybe a lot of the fights that take place would not occur, because they would be able to talk them out and they would have the kind of skills that would enable this. I think all of these things need to be seriously examined before we start doing all kinds of crazy things to address school violence.

The last thing that I think is a very serious issue, is toy guns. We need to take a look at those toy guns that look like guns and begin to say "Look, we need to get rid of them." We need to take a position and take a position on that now. We have too many young people being killed just for the fact they had a toy gun in their hand. We need recognize that police officers today, in this atmosphere and climate, are not going to interview anybody before they make a decision to shoot. They are not going to say, "Is your gun a toy or is your gun real?" They are not going to do that. They are going to shoot, and then after that, the issue will come up that it was only a toy gun and he or she was only 13 or only 14 or only 15.

So, I think we need to look at all these things. The errors that we can correct, the errors that we can do something about we should do something about. And those errors that we can't do anything about, then that is different, but the point is that we have not even tried in the way that I feel that we should try.

So, Mr. Chairman, I think you are on the right track by bringing in the experts and letting us talk with them and try to get some information and ideas about how we should move and where we should move and recognize the fact that sometimes when we eliminate a program we don't save much. Sometimes, when we eliminate a program, we save money here, but we spend it on the back end, and I think that we need to be very, very concerned about that.

Thank you very much for holding this hearing, and I yield back.

[The prepared statement of Hon. Dennis J. Kucinich follows:]

Dennis J. Kucinich
Subcommittee: Early Childhood, Youth and Families
May 18, 1999

Thank you Mr. Chairman, I am glad to see this subcommittee engaging in this very timely hearing on the recent outbreak of violence in our schools. I also want to thank Ranking Member Kildee for his efforts to bring this important subject to this subcommittee.

In the past couple of years a rash of violence in our schools has caused for this nation to question safety in our nation's school. I believe it is duty of this subcommittee not only to insure that young minds can grow and learn in the classroom but, also that those classrooms are safe. As a member of this Subcommittee, a Member of Congress, and as an American the recent outbreak of violence has caused me great grief and has caused me to search for ways to better protect our children while they are in school. School's are institutions of learning, and if students do not feel safe in their school then they will be unable to learn.

Most recently the town of Littleton, Colorado, was added to a list of communities that is already to long. The students at Columbine High School join their fellow students from Pearl, Mississippi, West Paducah, Kentucky, Jonesboro, Arkansas, Springfield Oregon, Edinboro, Pennsylvania, and Fayetteeville, Tennessee as they witnessed senseless acts of terror overtake their community. The time to act is now. We on this subcommittee must work together to try to find solutions to this growing problem in our nation's schools.

In the wake of the most recent shooting many have been quick to blame the gun industry and the marketing of violence to our nation's youth. While these industries might play part in the growing number of violent outbreaks I do not believe that we can solely blame it on them. I believe we must also examine the rise in antidepressants and other mind altering prescription drugs being prescribed to our youth. In at least two of the incidents of violence, those in Springfield and Littleton, over the past year the youths involved were on these drugs. At the same time the number of antidepressant prescriptions issued to children has soared to over 1,664,000 in 1998. Most children who watch violent movies do not commit acts of violence, and most children who are on antidepressants do not go on shooting rampages. But, so much attention following the most recent tragic shooting in Littleton has focused on the dangers of youth's and guns and violence in the media yet, there has been very little attention given to the dangers that the rise in antidepressants has on our youth. While there is no one single cause for these senseless acts of violence I hope this subcommittee, and the Congress as a whole, will continue to examine all aspects of this problem and make it a priority of this subcommittee to insure the safety of our nation's children.

I welcome the testimony of the students today as they offer a unique insight in to the problem, and are willing to share with us this horrific chapter of their lives. My prayers are with you and all the families of the victims of these senseless acts of violence and once again remind you that you are not alone. The whole nation feels the pain and the emptiness that has followed the recent violence in your hometowns.

Mr. MICA. I thank the gentleman and now would like to introduce our first panel of witnesses. Our first witness is Dr. Nelba Chavez, Federal Administrator of the Substance Abuse and Mental Health Services Administration of the U.S. Department of Health and Human Services. Our second witness is Mr. William Modzeleski, Director of the Safe and Drug Free Schools Program for the Department of Education. Both of these witnesses, as I said, oversee Federal programs dealing with this issue for which we already spend hundreds of millions of dollars. I see that we have more than two there—I did well in math—is anyone else going to testify? OK, we are not going to have anyone else testify.

This is an investigation and oversight panel of Congress, and we do swear in all of our witnesses. So, could I ask the two witnesses to stand, please.

[Witnesses sworn.]

Mr. MICA. The witnesses answered in the affirmative. I would like to welcome both of you today. We are anxious to hear what you are doing and your perspective on this important issue.

I might say that normally we have a 5-minute rule, but we will extend that, since we only have two in this panel. However, if you have lengthy statements or other documents you would like to be made part of the record, we will do that upon request.

So, with that, I would like to, again, welcome you and recognize, first, Dr. Nelba Chevez, Administrator of Substance Abuse and Mental Health Services Administration, also known as SAMHSA, at the U.S. Department of Health and Human Services. Welcome, and you are recognized.

STATEMENTS OF NELBA CHAVEZ, ADMINISTRATOR, SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND WILLIAM MODZELESKI, DIRECTOR, SAFE AND DRUG FREE SCHOOLS PROGRAM, DEPARTMENT OF EDUCATION

Dr. CHAVEZ. Thank you, Mr. Chairman. I want to take this opportunity to thank you for your leadership and to also thank the other members of the committee for your commitment to the very, very serious problems that we are facing.

I have an oral testimony, but I also have written testimony that I would like to enter for the record.

Mr. MICA. Without objection, the complete statement will be made part of the record.

Dr. CHAVEZ. Thank you. I also want to introduce Dr. Bernie Arons who is to my left. He is the Director of the Center for Mental Health Services, and, Dr. Karol Kumpfer, who is the Director for the Center for Substance Abuse Prevention. They will be available for any further questions that you may have.

Let me just start out by saying that we are here today because we care deeply about America's future. A month ago—and, again, like you, Mr. Chairman, I put this together a few days ago, so I am talking about a month ago—there was a chilling message about the future that stunned all of us. That was the day two students in Littleton, CO opened fire, killing classmates in cold blood. This morning, we heard about the shootings in Atlanta. Similar horrors around the country have become as familiar on the news as random drive-by shootings. A poll of American adolescents revealed that 47 percent of teens believe their schools are becoming more violent. In addition to being perpetrators and victims of violence, children are also harmed by being witness to violence. Children's exposure to violence and maltreatment is significantly associated with increased depression, anxiety, post-traumatic stress disorder, anger, greater alcohol and drug use, and lower school attainment. It would be inaccurate and misleading to claim that any single influence leads to violence, whether it is abuse, emotional and behavior problems, peer pressure, alcohol and drug use, lack of parental guidance, or pro-violence or drug use media messages. These and a host of other influences are involved. Our Nation's children, adolescents, families, and communities clearly have multiple needs, and they deserve comprehensive solutions.

We are here to discuss what we, in the Federal Government, can and must do to turn our commitment into progress for our children. We have already pulled together research which outlines the course to take in the short and the long term. The findings are complex but not surprising. Children exposed to drugs, family conflicts, academic failure, and whose friends or peers engage in anti-social behaviors are at risk for negative and violent outcomes. Conversely, we know children can be protected from these risks. Even more so than risk factors, protective factors can have impact for the rest of their lives in helping them overcome adversity.

Just yesterday, we released findings from one of our prevention programs. We found, in successful programs, protective factors start with meaningful contact with adults who convey positive expectations. Our children all need opportunities to become involved, and they need support in building interpersonal skills. Our comprehensive evaluations also show that programs must be flexible. Interventions that work take into account the emotional and cognitive level of the children and the developmental tasks appropriate for different ages.

As we look at the multiple challenges faced by our children, perhaps the most troubling observation is that until they are diagnosed with a serious mental problem, become addicted or involved in the criminal justice system or worse, there is no system and very few services available in this country that identify and intervene with children and families before problems occur.

Increasingly, we have become aware of the multitude of problems that children in adolescence face. For example, today, one in five children in adolescence in this country have a serious emotional or behavioral problem, yet 60 percent of them do not receive the treatment they need. If we wait until children turn to crime, drugs, or enter the juvenile justice system, we all pay the price. We pay the price in suicide, child abuse, addiction, violence.

Two initiatives at SAMHSA look at the whole child within the context of the family and the community. Through these and other prevention programs, we are working to address the needs of our children earlier on. First, in partnership with the Departments of Education and Justice, we announced the Safe Schools, Healthy Students initiative just last month. This collaborative effort will provide 50 school districts throughout the United States with tools to develop and implement comprehensive, community-wide strategies for creating safe and drug free schools and for promoting healthy childhood development; meaning physically and mentally healthy. Second, we will soon announce the funding of initiatives to help expand school-based programs and raise awareness about mental health services for children.

At SAMHSA, we are working to support the President and your vision for American youth. We know the protections we can offer are stronger than the risks our children encounter. We know we must act quickly, but we must act wisely.

I would like to close with the words of Tito, an ex-gang member. He says, "Kids can walk around trouble if there is someplace to walk to and someone to walk with." He is telling us that we all have remarkable potential; our job is to open the door. Thank you.

[The prepared statement of Dr. Chavez follows:]

WRITTEN TESTIMONY

MENTAL HEALTH NEEDS OF CHILDREN & SCHOOL VIOLENCE PREVENTION

NELBA CHAVEZ, PH.D.
ADMINISTRATOR, SUBSTANCE ABUSE AND
MENTAL HEALTH SERVICES ADMINISTRATION
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

HOUSE GOVERNMENT REFORM COMMITTEE/
SUBCOMMITTEE ON CRIMINAL JUSTICE AND DRUG POLICY

MAY 20, 1999

WASHINGTON, D.C.
Washington, D.C.

We're here because we all care deeply about the future of America. One month ago, on April 20, a chilling message about that future stunned us all. That was the day students in Littleton, Colorado opened fire, killing their classmates in cold blood. At the end of the day, 14 students and one teacher lay dead, more than 40 others wounded. Two boys was all it took - and they also took their own lives.

We continue to be haunted by the memory of a teacher and four girls, killed by 11- and 13-year-old boys at their middle school in Jonesboro, Arkansas, and nine of their classmates, wounded and bleeding. We cannot forget 2 students killed and 22 others wounded by a 15-year-old boy in Springfield, Oregon. And we remember similar horrors in Tennessee, Pennsylvania, Kentucky, Mississippi – indeed, all over the country. These events are a small but gripping part of a larger problem.

We need to believe in our young people as the future of our country. But, today, we share a collective horror.

It would be misleading to claim that any single influence leads to violence, whether it's abuse, peer pressure, drug use, lack of parental guidance, or pro-violence and pro-substance use media messages. But, we do know that substance use and emotional distress have a disturbing role - In fact, in America today, substance abuse and mental illness are our most costly public health problems. As with any other public health problem, we must develop public health solutions.

With the Congress's leadership we can help others understand that drug abuse and mental illness are public health issues. We need to invest our resources in reaching children, adolescents, and adults before they first use drugs, enter the criminal justice system, or before emotional problems compound.

As a Nation, we are increasingly becoming aware of children and adolescents with multiple vulnerabilities, such as substance abuse and including emotional and behavioral problems. Yet, a tragic casualty of the squeeze in health care today has been substance abuse and mental health services. And, we all are paying the price - in fear, in economic, emotional, and social costs.

Today, close to 70 million children are under age 18 in the United States. They represent about 30 percent of our country's increasingly diverse population. About 20 percent of our children from birth to 17 years of age have a diagnosable mental disorder. Five to nine percent of our children and youth have a serious emotional disturbance of a magnitude that limits their capacity to function appropriately at home, at school, or in their communities.

Results from our *1997 National Household Survey on Drug Abuse* reveal that, in 1997, 34 percent of American children used alcohol and nearly 19 percent used illicit drugs. The numbers reflect an increase in current marijuana use from 7.1 percent in 1996 to 9.4 percent in 1997. Young people's use of inhalants, hallucinogens, cocaine, or heroin did not significantly change in this period.

Each year more than one million youth come in contact with the juvenile justice system, and more than 100,000 of these children are detained in some type of residential or detention facility. By the time these children are arrested and incarcerated, especially those who have committed violent offenses, they have a long history of problems in their short lives. As many as two-thirds suffer from a mental or emotional disturbance. Less than 13 percent of youth offenders in the juvenile justice system who have been identified as in need of mental health services receive such treatment. Many have substance abuse problems and learning disabilities. According to a Department of Justice report, 82 percent of delinquent youth in a State detention facility reported being daily users of alcohol and other drugs just prior to admission to the facility. Most of these children have suffered an accumulation of risk factors. We can prevent many of these tragedies. We can begin by fostering the healthy development of all America's children and a good place to start is in our schools.

Research documents that between 1989 and 1995, students felt increasingly unsafe at school and going to and from school. In 1989, 15 percent of students reported gangs were present in their schools; by 1995, this statistic had risen to 28 percent. A 1996 Children's Institute International Poll of American Adolescents revealed that 47 percent of all teens believed their schools were becoming more violent.

Although research also shows that children actually are more likely to be victims of serious violent crime away from school than at school, and that students today are not significantly more likely to be victimized at school than previously, anxiety among students about the possibility of violence comes with good cause. During the 1996-97 academic year, 21 percent of all public high schools and 19 percent of all public middle schools reported at least one serious violent crime -- murder, rape, other types of sexual battery, physical attack or fight with a weapon, robbery, or suicide -- to law enforcement agencies.

Between 1984 and 1994, while the homicide rate for most other age groups fell, the homicide rate for adolescents doubled, and nonfatal violent crimes committed by adolescents increased nearly 20 percent. Homicide rates for older adolescents aged 15-19 peaked in 1993, then decreased from 1994-1996; however, they remain at historically high levels. Slightly more than half of the teen killers and victims have been black. Homicide now ranks third as the leading cause of death for children 10 to 14 years of age and fourth for children ages 1 to 9. Minority youth are at markedly increased risk for violent deaths. Fights that in earlier years, resulted in black eyes, bloody noses or minor bruises now often involve a serious injury or death. While other causes of death for school-age youth (unintentional injuries, malignancies, congenital anomalies, etc.) decreased dramatically, those for violent deaths remain extremely high.

Those figures still hold true, but the gruesome school shootings are changing the perception. Although there may not be significant statistical changes in the nature of school violence, the recent incidents highlight the underlying risk behaviors that exist. In the 1980s youth violence was associated with poverty and drugs. There are many risk factors associated with youth interpersonal violence, and although such violence continues to occur across all populations, it was often viewed as someone else's problem. Now we cannot deny the violence as it impacts on all of our children . We cannot deny that drugs and emotional problems touch the lives of all our children. This is an opportunity to build a momentum for change. The message: We have been very successful in preventing many causes of death in youth, but not deaths from homicide and suicide.

Not only is there cause for concern about juveniles as *perpetrators* of crime, but young people are also at risk to be *victims* of crime. During the 1992-93 and 1993-94 school years combined, 76 students were either murdered or committed suicide at school and an additional 29 non students met with violent deaths at school. During the past 3 school years, August 1995-June 1998, while the total number of events of school-associated violent deaths have decreased, the number of multiple-victim events appears to have increased. ~~Schools, though,~~ are relatively safe - among school-aged youth, only about 1 percent of homicides and suicides are school-associated. Any school crime is too much, and violence in schools is especially disturbing to all of us.

Youth suicide is an inseparable component of the final tragedy of youth violence, and it is becoming more so. From 1950 to 1980 the youth suicide rate nearly tripled. Every 24 hours, 6 children commit suicide. The suicide rate among female Hispanic adolescents is of special concern. Among female high school students, the percentage of high school students who reported attempting suicide is 14.9 percent among Hispanic girls compared to 7.7 percent for the total population of high school students.

In addition to being perpetrators and victims of violence, children are also harmed by being *witnesses* to violence. In a study conducted at Boston City Hospital, 1 out of every 10 children seen in the primary care clinic had witnessed a shooting or a stabbing before the age of 6 -- 50 percent in the home, and 50 percent in the streets. The average age of these children was 2.7 years. A 17-year-old African American girl from Boston told a State task force that she had attended the funerals of 16 friends ages 14 to 21 who had died by violence. Children's exposure to violence and maltreatment is significantly associated with increased drug and alcohol use, depression, anxiety, posttraumatic stress disorders, anger, and lower school attainment.

Recent media profiles of dramatic, multiple killings of students at school by their classmates have shocked the Nation, and support the need for an initiative that protects our children, enhances resilience to problematic behaviors, fosters mental health and prevents substance abuse and violence. While most violence takes place in homes and neighborhoods, a considerable amount also occurs in and around schools. In addition, students, teachers, parents, and other care givers experience daily anxiety due to threats, bullying, and assaults in their schools.

The 1998 Congressional appropriation of $40 million to the Center for Mental Health Services (CMHS) "to improve mental health services for children with emotional and behavioral disorders who are at risk of violent behavior" is providing an excellent opportunity for us to develop the integrated continuum of prevention, early intervention, and treatment services called for by the Congress, clinicians, researchers, and other advocates of effective and appropriate mental health services.

We are working with our research colleagues from NIMH and CDC to translate findings from their and other studies into practice. The result is the *CMHS School Violence Prevention Initiative: Enhancing Resilience.* We know we have a reservoir of expertise in children's mental health and with the integrated approach that is needed to enhance resilience and decrease violence and substance abuse, we know that we can make a difference. The School Violence Prevention Program is our effort to care for the mental health of America's children and protect them from violence.

Schools are particularly well-positioned to foster healthy development and help prevent youth violence by promoting prosocial, cooperative behavior and a culture of learning. Effective prevention, intervention, and crisis response strategies operate best in schools that do so. The need for an integrated system of care to enhance resilience and decrease violence and prevent substance abuse is enormous, and the logical place to locate this system is within schools, as that is where children spend a significant portion of their days. They must feel safe and be safe in order to learn. However, to be effective, interventions must not be targeted solely at children, but must also involve schools, families, and communities in a joint partnership.

Risk and Protective Factors and Processes

THE ISSUE OF RISK:

In the past decade, experts in the field of prevention have begun to design programs that increase protective processes and/or decrease risk factors for delinquency and other adolescent problem behaviors. In reviewing more than 30 years of research across a variety of disciplines, Hawkins & Catalano identified 19 risk factors that are reliable predictors of adolescent delinquency, violence, substance abuse, teen pregnancy, and dropping out of school.

The following table outlines these risk factors.
(*See Attachment A.*)

The Issue of Protection:
What can protect our children from these risk factors ? Can they be immunized?

Research on resilience has added much to our knowledge of *protective factors and processes*. In the words of noted resilience researcher Dr. Emmy Werner, "Protective buffers...appear to make a more profound impact on the life course of individuals who grow up and overcome adversity than do specific risk factors." "Protective factors hold the key to understanding how to reduce those risks and how to encourage positive behavior and social development."
These protective factors include:

The Individual Characteristics of the Child

Some children are born with characteristics that help protect them against problems as they grow older and are exposed to risk. These include:

- ***Gender***. Given equal exposure to risk, girls are less likely than boys to develop health and behavior problems in adolescence.
- ***Resilient temperament***. Children who adjust to change or recover from disruption easily are more protected from risk.
- ***Outgoing personality***. Children who are outgoing, enjoy being with people, and engage easily with others are more protected.
- ***Intelligence***. Bright children appear to be more protected from risk than are less intelligent children.

Healthy Beliefs and Clear Standards help protect our children

Parents, teachers, and community members who hold clearly stated expectations regarding the behavior of young children and adolescents help protect them from risk. When family rules and expectations are consistent with, and supported by, other key influences on children and adolescents -- school, peers, media, and larger community -- the young person is buffered from risk even more.

Good Relationships with Adults

One of the most effective ways to reduce children's risk of developing problem behaviors is to strengthen their bonds with family members, teachers, and other socially responsible adults. Children living in high-risk environments can be protected from behavior problems by a strong, affectionate relationship with an adult who cares about, and is committed to, the children's healthy development.

Children also need:

- ***Opportunities for involvement***. Strong bonds are built when young people have opportunities to be involved in their families, schools, and communities -- to make a real contribution and feel valued for it.
- ***Skills for successful involvement***. In order for young people to take advantage of the opportunities provided in their families, schools, and communities, they must have the skills to be successful in that involvement. These skills may be social skills, academic skills, or behavioral skills.

- ***Recognition for involvement.*** If we want young people to continue to contribute in meaningful ways, they must be recognized and valued for their involvement.

PATTERNS OF YOUTH VIOLENCE.

We not only need to understand the risk factors for violence, but we need to understand the different patterns of youth violence so that we can target the appropriate interventions to the specific types of youth violence. Not all types of adolescent violence are of the same form or cause or will be best addressed by the same response. Four patterns of violence are described in the research. (See: Tolan and Guerra, *What Works in Reducing Adolescent Violence: An Empirical Review of the Field*, Center for the Study and Prevention of Violence, July 1994; Elliot, Huzinga, and Ageton, *Explaining Delinquency and Drug Use*, Sage Publications.)

I. Situational Violence

Situational violence is related to specific situations that apparently function as catalysts that lead to the violent act and increase its seriousness. Among these catalysts are extreme heat, weekends, times of social stress, frustration in pursuing planned events, unavoidable accidents or events, poverty, social discrimination and oppression, availability of handguns, and alcohol, tobacco, and other drug use. This type of violence accounts for more than 25 percent of adolescent violence in the United States.

II. Relational Violence

Relational violence "arises from interpersonal disputes between persons with ongoing relationships, in particular among friends and family members." Children who witness violence between their parents are at increased risk to act violently toward and among other children. For adolescents, dating violence is an especially serious form of relational violence. Relational violence accounts for about 25 percent of adolescent violence.

III. Predatory Violence

Predatory violence, which accounts for only 5 to 8 percent of violent acts by adolescents, includes crimes such as muggings, robbery, and gang assaults that are "perpetrated intentionally to obtain some gain or as part of a pattern of criminal or antisocial behavior."

IV. Psychopathological Violence

Psychopathological violence accounts for less than 1 percent of adolescent violence in the U.S., but it is a particularly virulent form. It is generally more repetitive and extreme than the other types of violence, and it is the clearest example of individual psychopathology that is probably related to neurological deficits and/or psychological trauma. Unlike interventions appropriate for perpetrators of other types of violence, psychopharmacology and various management techniques are often indicated for this population.

Interventions have not usually taken into account these four patterns of adolescent violence, but when we plan an intervention, ***we need to understand the violence pattern that we wish to target***. Interventions effective for one type often are not effective for other types. Moreover, the best timing of interventions for different patterns probably differs. For example, signs of predatory and psychopathological violence may show up quite early in a child's life and interventions that begin in elementary school or before may be indicated, while the optimal age for interventions to prevent situational and relational violence may be early adolescence. Research suggests that interventions that reduce risk factors while enhancing protective factors in family, school, and peer groups are most successful.

The research describing differences in prevalence, causes, and appropriate interventions for the four types of adolescent violence identified above also suggests that a wider variety of types of violence needs to be identified, as well a portfolio of specific interventions for different types of violence and different populations (Tolan and Guerra).

THE ISSUE OF DEVELOPMENT

When violence and the fear of violence occur in schools and communities, they interfere with normal learning processes and arrest or delay the successful completion of the developmental tasks of childhood and adolescence. To be effective, interventions must take into account the emotional and cognitive levels of development of the children and adults being targeted, as well as the developmental tasks appropriate for different ages. For example, dyadic parent-child training programs may be effective with young children and early adolescents at risk for adopting violent coping strategies, but they are not appropriate or may have negative effects for older adolescents who are seeking independence from parents and look to peers for approval and status.

A clear understanding of the *interactions of individual characteristics and contextual conditions* that facilitate escalation in violence levels over the life course, will allow us to design targeted and timely interventions for preventing, interrupting, and terminating these processes.

PREVENTING VIOLENCE IN SCHOOLS AND COMMUNITIES REQUIRES A PUBLIC HEALTH APPROACH

The public health approach, with its emphasis on primary prevention, has had an extremely positive impact on the health status of Americans during the past century. For example, the public health campaign against cigarette smoking has led to the elimination of thousands of cases of lung cancer, and the public health campaign encouraging the wearing of seat belts has greatly reduced the number of deaths from automobile accidents. It is reasonable, therefore, to use the public health approach to enhance resilience, prevent substance abuse, and reduce injuries and deaths due to violence because the "approach allows one to think about violence not as an inevitable fact of life but as a *problem that can be prevented.*"

The public health approach is an optimistic approach that provides tools for individuals and communities to proceed in a positive direction. can intervene effectively in the lives of young people to reduce or prevent their involvement in violence.

The role of mental health interventions and substance abuse prevention in preventing violent behaviors

In the last decade, prevention has moved into the forefront and has become a priority for many Federal agencies in terms of policy, practice, and research. There is growing concern in our country as increasing numbers of children and adolescents are having difficulty managing the challenges of development. If we start early enough, we can prevent much of this pain. To reduce levels of childhood mental illness, preventive interventions need to be provided prior to the development of significant symptomatology. Our research colleagues tell us about the powerful role that developmental theory provides for organizing and building the field of prevention of mental illness- Recent findings in behavioral epidemiology indicate that mental health problems, social problems, and health risk behaviors often co-occur as an organized pattern of adolescent risk behaviors. Because risk factors may predict multiple outcomes and there is great overlap among problem behaviors, prevention efforts that focus on risk reduction of interacting risk factors may have direct effects on diverse outcomes.

Researchers have determined that preventive interventions are best directed at risk and protective factors rather than at categorical problems behaviors. With this perspective, it is both feasible and cost-effective to target multiple negative outcomes in the context of a coordinated set of programs. Among the primary concerns of the CMHS violence prevention initiative are disruptive behavior disorders which are among the most prevalent and stable child psychiatric disorders. It is typically these children who are at risk of violence as perpetrators and victims. Greenberg and his colleagues note that,

Compared to other mental health disorders, a substantial amount of basic research has been conducted in the last twenty years on the disruptive behavior disorders. We now have sophisticated developmental models of how these problems develop and an awareness of the risk and protective factors involved in their initiation and maintenance. We now know that forty percent of children diagnosed with conduct disorder between the ages of 8 and 12 still have the disorder four years later. Many of the most serious and costly adult mental health outcomes and societal problems (e.g., delinquency, substance use, and antisocial personality disorder) have their origins in early conduct problems. Conduct disorder is one of the most difficult conditions to remediate because the disorder is often supported in multiple contexts, the risk factors associated with it tend to cluster together and are related in complex ways, and each risk factor tends to set the stage for increase risk in the next phases of development.

There are a number of reasons why treatment with younger children, ideally, prior to symptom onset, is more likely to be effective.

In light of the difficulties involved in treating conduct disorders, it makes sense to consider an array of universal prevention programs targeting school-aged children. One such program is *Promoting Alternative Thinking Strategies* (PATHS), which is an elementary school-based program to promote social/emotional competencies through cognitive skill building. With a heavy emphasis on teaching students to identify, understand, and self regulate their emotions, PATHS also adds components for parents and school context beyond the classroom to increase generalizability of the students newly acquired skills. In a randomized controlled trial, PATHS produced significant improvements in social problem solving and understanding emotions.

Recently a consortium of prevention researchers supported with NIMH and CDC funding have developed FAST TRACK, a school-wide program that integrates universal, selective, and indicated models of prevention. The universal intervention includes teacher consultation in the use of a series of grade level versions of the PATHS Curriculum throughout the elementary years. The targeted intervention package includes a series of interventions that involves the family, the child, the school, the peer groups, and the community. Results of the first three years indicate there are significant reductions in special education referrals at school, and in aggression both at home and at school, for the targeted children. FAST TRACK is predicated on a long-term model that assumes that prevention of anti-social behavior will be achieved by building competencies and protective factors in the child, family, school, and community. The initial results provide strong support for improved social and academic development This is very exciting news from our research colleagues.

Violence prevention activities also are woven throughout our substance abuse prevention program for school children. One very effective change project was development of a Teen Hotline manned by trained teenagers from all the high schools in the school district working together with mental health professionals in the community. This hotline, as well as other student assistance programs, involved adolescents in helping other students and in increasing school attachment and bonding.

Strengthening the ability of parents and family members to monitor youth's behaviors and emotional status is another focus of our substance abuse prevention program. Through the Center for Substance Abuse Prevention's (CSAP's) Parenting and Family Strengthening Initiative, we are funding 100 communities to adopt and culturally adapt the best of 60 science-based parenting and family strengthening programs, to help thousands of parents of high risk children better parent and address early aggression and depression in their children.

An Important word about ETHNIC-MINORITY AND CULTURAL ISSUES

To understand the connection between ethnicity and violence, one must first understand the connection between ethnicity and poverty. Repeatedly, researchers from different fields "have firmly established that poverty and its contextual life circumstances are major determinants of violence. Violence is most prevalent among the poor, regardless of race." In 1996, one out of every five children in the United States (14.5 million) lived in poverty. When most immigrants were poor white people, rates of violence among them were very high. In all ethnic groups, rates of violence are highest for boys and men at the lowest economic level. In comparisons of people at the same economic level, few differences are found among racial groups.

The contextual factors associated with poverty may be more significant in generating violent behavior than is lack of money *per se*. Poor people are segregated from the mainstream of American society, and many see little opportunity to obtain even the basic necessities of life. The consumer culture portrayed by the media only heightens one's sense of deprivation. Even in good times, unemployment rates are highest among the poor, especially among poor African Americans, Hispanics, and Native Americans. Unemployment interferes with family stability, damages self-esteem, and leads to neighborhood instability as people move elsewhere in search of jobs and affordable housing. Moving, in turn, disconnects people from their support systems and increases their sense of isolation. When ethnic minority youth have few pathways to participation in mainstream American culture, the stage is set for violence.

It is important to remember that most ethnic minority youth growing up with the stresses of poverty, lack of opportunity, discrimination, family disruption, and community breakdown *do not* engage in violent behavior. Major protective factors in many minority groups are the values of communalism, family, and group harmony, all of which deter violent behavior by increasing the youth's social supports both inside and outside the family. Yet another protective factor is the strong religious orientation prevalent among many ethnic minority groups. In addition, strengthening the young person's appreciation of his cultural heritage is likely to promote healthy development.

HOW TO INTERVENE: WHAT PROGRAMS WORK?

Over the last decade, researchers have developed a considerable scientific knowledge base regarding the fostering of resilience and the prevention of violence. Unfortunately, practitioners and policy makers have not always used this knowledge in creating programs. Therefore, the SAMHSA/CMHS initiative has a solid base of evidence of their effectiveness.

Repeatedly, researchers stress that communities must be truly committed to these programs because the time required to overcome negative influences of disadvantaged neighborhoods, availability of drugs, stressed families, poor school adjustment and performance, and delinquent gangs or peer networks is measured in years, not days or hours. Furthermore, researchers stress that the most effective interventions are those in which multiple systems that have an impact on children -- families, schools, community agencies, the faith community, and other such entities -- collaborate to decrease risk factors and enhance protective factors.

Because of the multiplicity of risk and protective factors for violence, preventive interventions should be guided by theory that suggests the causal mechanisms that link these factors to future violence. For example, it is common knowledge that the experiences of young children are shaped by the coping strategies of their parents, other family members, and/or extra-familial care givers. It is not surprising, then, that findings from studies of early childhood education programs show a strong connection between improvements in family functioning and parenting behavior and decreases in delinquent and antisocial behavior among children in adolescence.

SAMHSA took seriously all of this fine and complex explanatory research and seized the opportunity to translate it into practice in our School Violence Prevention Program. We collaborated with a number of our Federal colleagues in NIMH, CDC, HRSA, and of course representatives from the Departments of Justice and Education who are our partners in the **Safe Schools/Healthy Students Initiative**.

On April 1, 1999, the U.S. Departments of Education, Health and Human Services, and Justice formally announced an unprecedented collaborative effort, the **Safe Schools/Healthy Students Initiative.** Through this Initiative, grants totaling more than $300 million over three years will be awarded to approximately 50 local educational agencies and their mental health and law enforcement partners to promote healthy childhood development and prevent violent behaviors. The Initiative may fund, but is not limited to, school-based mental health preventive and treatment services, violence prevention and intervention programs, early psychosocial and emotional development practices, anti-drug curricula, educational reform, safe school measures and policies, home visitation by nurses, after school activities, efforts to reduce truancy, and initiatives to strengthen families.

These services and activities will help young people develop the social skills and emotional resilience needed to avoid violent behavior, and will help schools to create a safe, disciplined, and drug-free learning environment. The Initiative is based on evidence that a comprehensive, integrated community-wide approach is an effective way to promote safe schools and foster the development of healthy students. The comprehensive and integrated program must address the following elements: (1) a safe school environment, (2) alcohol, drug abuse, and violence prevention and early intervention, (3) school and community mental health preventive and treatment services, (4) early childhood psychosocial and emotional development programs, (5) educational reform, and (6) safe school policies.

Another school violence prevention effort launched by the Center for Mental Health Services in collaboration with the Center for Substance Abuse Treatment, is the **School Action Grant** program which is designed to complement the Safe Schools/Healthy Students Initiative. This School Action Grant Program will award a total of $5.7 million a year to encourage communities to expand upon school-based programs. It will provide grantees with funds to promote healthy childhood development and prevent youth violence and substance abuse through the use of programs and practices proven to be effective.

To be effective and self-sustaining, these two grant programs will need the understanding, support, and participation of many community partners: children, families, teachers, primary health care practitioners and mental health care providers, law enforcement and juvenile justice authorities, State and local governments, advocacy groups, businesses, members of the faith community, and others concerned with the welfare of children. The SAMHSA/CMHS School Violence Prevention Program will be complemented by programs that provide technical assistance and a wide array of awareness activities and educational materials that are aimed at enhancing and expanding the impact of efforts by grantees to prevent violence.

Children have multiple problems - Although it's often not possible to define a point at which substance abuse, mental illness, and/or violence become involved in the distress they experience, the research and empirical evidence show they are undoubtely intertwined. SAMHSA's National Household Survey on Drug Abuse shows a correlation between marijuana use and violence. Substance abuse prevention and treatment programs must be comprehensive in their goals.

At the same time, CSAP has linked violence prevention in schools to key substance abuse prevention activities. For instance, within the six exemplary High Risk Grant programs selected for replication are several that clearly help to reduce school violence. One is a Student Assistance Program that train young people to help other students with adolescent problems as they support them in not using drugs. Another is a Child Development Project that changes the type of school instruction to support a collaborative and supportive environment in which all children feel that they are wanted and needed.

The link between violence substance abuse, and the types of prevention programs needed, is reflected in CSAP grantee programs that bring in children's and family skills-training approaches to help prevent violence, such as Starting Early Starting Smart, a program that addresses developmental needs of children from zero to seven, and testing of a Developmental Predictor Variable that provides group therapy and skills training in coping with anger for elementary school children.

CSAP's Parenting and Family Strengthening Initiative has developed over 12 family strengthening approaches to help parents of high risk children better parent and reduce violence, aggression, and depression in their children.

CONCLUSION

We have been stunned by the tragedy of the recent school violence. But, we need to take a long hard, appreciative look at the reservoir of knowledge and experience we must tap - and tap into now. We know from the past that services founded on careful research make a difference and save lives - services from cancer prevention to treatment for depression. We know that the protective potential in our children is stronger than the dangers that put them at risk. We know we must act, quickly and wisely, for the future of America.

I urge you to join your mission with ours - from knowledge of the research to expertise in designing services to the deep commitment of the Congressional Children's Caucus, we can forge the path of peace for the future of America.

I'd like to close with words of Tito, an ex-gang member. He says, "Kids can walk around trouble if there is some place to walk to and someone to walk with."

He is telling us that we have a remarkable responsibility and kids have remarkable potential. Our job is to open the door and walk with them.

Attachment A
Correlation Between Risk
Factors and Adolescent
Problem Behaviors

Risk Factors	Substance	Delinquency	Teen Pregnancy	School Drop-Out	Violence
Community					
Availability of Drugs	✓				✓
Availability of Firearms		✓			✓
Community Laws and Norms Favorable Toward Drug Use, Firearms, and Crime	✓	✓			✓
Media Portrayals of Violence					✓
Transitions and Mobility	✓	✓		✓	
Low Neighborhood Attachment and Community Disorganization	✓	✓			✓
Extreme Economic Deprivation	✓	✓	✓	✓	✓
Family					
Family History of the Problem Behavior	✓	✓	✓	✓	✓
Family Management Problems	✓	✓	✓	✓	✓
Family Conflict	✓	✓	✓	✓	✓
Favorable Parental Attitudes and Involvement in the Problem Behavior	✓	✓			✓
School					
Early and Persistent Antisocial Behavior	✓	✓	✓	✓	✓
Academic Failure Beginning in Late Elementary School	✓	✓	✓	✓	✓
Lack of Commitment to School	✓	✓	✓	✓	✓
Individual/Peer					
Alienation and Rebelliousness	✓	✓		✓	
Friends Who Engage in the Problem Behavior	✓	✓	✓	✓	✓
Favorable Attitudes Toward the Problem Behavior	✓	✓	✓	✓	
Early Initiation of the Problem Behavior	✓	✓	✓	✓	✓
Constitutional Factors	✓	✓			✓

Adolescent Problem Behaviors

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Mr. MICA. Thank you for your testimony, we will hold questions until the other witnesses have testified.

I will now recognize Mr. Modzeleski, Director of the Safe and Drug Free Schools Program in the Department of Education.

Mr. MODZELESKI. Thank you, Mr. Chairman. Good morning, Madam Vicechairman and members of the committee. I would like to enter my complete testimony into the record.

Mr. MICA. Without objection, so ordered.

Mr. MODZELESKI. Thank you very much. On behalf of Secretary Riley, I want to say that I am very pleased to testify before this committee this morning.

We feel that the Department of Education has a key role in helping to prevent school crime and violence. The Department of Education has been at the forefront of supporting schools with resources for drug and violence prevention activities and assisting schools in ensuring that every child has the opportunity to go to school and every teacher has the opportunity to teach in school without being threatened, bullied, robbed, attacked, pressured to buy illicit drugs, or present among other students using illicit drugs.

We are, however, not alone in these efforts. Working very closely with us every step of the way are our colleagues from a host of agencies within the Departments of Justice, Health and Human Services, the Federal Emergency Management Agency, and the Office of National Drug Control Policy. Our work with these other agencies reflects a partnership approach to creating safe and drug free school environments, an approach we would like to see every community in this country adopt. We believe success in creating safe schools is contingent upon our ability to forge linkages at all levels of government, to share resources and ideas, and to work together for the common good of our children and youth.

As you are aware, 1 month ago, two young men walked into Columbine High School in Littleton, CO and several hours of random shooting changed the perspective of many people in this country about the relative safety of our schools. The tragedy at Columbine, coming approximately 1 year after a string of other school incidents where there were multiple victims, and this morning's shootings at Heritage High School in Rockdale County, GA, gave many the impression that our schools, regardless of where they are located, are places where neither teachers nor students are safe. Perception, however, is not reality. While there are some schools in this country where students and teachers fall victim to crime and violence, data collected by the Departments of Justice and Education and the Center for Disease Control show that schools remain safe places, safer than many of the communities in which the students come from, and safer than many of the homes in which they live.

The report issued by the Departments of Education and Justice, in October 1998, the Annual Report on School Safety, provides some evidence of this. It shows that 90 percent of public schools report no incidents of serious violent crime, and less than half—43 percent—of schools reported no crime at all. Children age 12 to 18 are twice as likely to be a victim of a serious violent crime in the community as they are in school, and, overall, over the past 5 years, school crime, generally, has decreased. In 1996 and 1997, while 6,093 students were expelled for bringing a firearm to school, preliminary data for the 1997–1998 school year indicate that this number is decreasing.

I may also note that despite recent high visibility incidents in the last 2 years, school-associated violent deaths remain extremely rare events. Fewer than 1 percent of all the homicides and suicides among school age children happen at school, on the way to school, or at school-sponsored functions. The study conducted for the 1992–1993 and 1993–1994 school years by the Departments of Education, Justice, and the Centers for Disease Control found that in a 2-year period, 63 students, age 5 through 19, were murdered at school, and 13 committed suicide at school. Firearms were responsible for 77 percent of the total number of school-associated violent deaths. The victims and offenders tended to be young—the median ages were 16 and 17 respectively—and male—82 and 95 percent respectively. And that has occurred in communities of all sizes in 25 different States.

Furthermore, preliminary data from the joint Department of Education, Centers for Disease Control study indicate that the number of students who are homicide or suicide victims in schools has been gradually decreasing since 1992, even though the number of multiple homicide events has been increasing.

Even though data related to school crime and violence indicate that schools remain among the safest places for children and youth-to-be, we should not be satisfied. We can do better. We can create schools where every child can learn, and every teacher can teach without being threatened or victimized. However, in order to do so, we will have to overcome a series of obstacles that confront many schools. We are working diligently to this by developing strategies to assist schools in collecting and utilizing sound objective data for program planning and decisionmaking; by identifying and encouraging all schools to implement research-based programs; by viewing school safety and drug prevention efforts in a broader, more comprehensive context of violence and drug prevention efforts and not used in isolation with other prevention efforts or other things happening in schools; by finding a better way to target resources, schools and communities and needs; and by assisting schools to ensure that all students are connected to an adult in school and all students are provided a range of opportunities that afford them the opportunity to achieve their fullest.

We are doing this in a collaborative fashion through a number of means: through the development and dissemination of a range of publications, such as the Early Warning Guide, which, hopefully, Kevin Dwyer will talk about from one of the other panels; through improved information collection, analysis and dissemination, such as our Annual Report on School Safety; through expanded technical assistance opportunities, such as in the area of school safety, with the joint Department of Education OJJDP efforts; through targeted training and topics, such as conflict resolution and hate crimes; through the identification of exemplary programs and exemplary schools by our expert panel on Safe, Disciplined, and Drug Free Schools; through linkage of the Department of Education efforts, such as the 21st century learning centers; through the development of discretionary programs which provide resources to hire persons who assist middle schools, identify the most common sense strategies available for these schools; and, as Dr. Chavez said, through the development and support of an initiative entitled Safe Schools, Healthy Students.

I would like to say one thing about this initiative—it signals a clear change in the way that we are approaching and addressing the problem of school violence. Rather than provide schools and communities with funds to address a portion or single element of the problem they face and provide funds independent of what other agencies do, we have designed a program which will provide funds to local education agencies to develop comprehensive program approaches to school safety. Schools will have to develop a plan which addresses six elements necessary for the creation of a safe school, including school security, mental health services, and drug and violence prevention programs.

Last, I would like to quickly mention our proposal to overhaul the Safe and Drug Free Schools Program. Our reauthorization proposal for the Safe and Drug Free Schools Program, which will be submitted tomorrow, will make significant changes to the effectiveness of the program. The proposal will balance local flexibility with greater accountability; it will emphasize the implementation of high quality research-based programs that are consistent with the principles of effectiveness; it will strengthen program accountability requiring recipients of funds to adopt outcome-based performance indicators in a comprehensive, safe and drug free school plan; it will help local education agencies respond to violent and traumatic crises by establishing the School Emergency Response to Violence Program.

This program would authorize the Secretary to provide rapid assistance to school districts that have experienced violent or other traumatic crises that have disrupted the learning environment. It will require that students found in possession of a firearm in school be evaluated to determine if they pose an imminent threat of harm to themselves or others. Other provisions of the Elementary and Secondary Education Act we propose would highlight that each State submit information in its annual report card, including information regarding incidents of school violence, drug and alcohol abuse, and the number of instances in which a student has possessed a firearm in school. Further, it would require districts to have and to enforce on an equitable and consistent basis, firm school discipline policies. We think adoption of these changes will go a long way to improving the quality and effectiveness of drug and violence prevention programs in schools.

In closing, I would like to state that creating safe and drug free schools may be a difficult but not impossible task. We, at all levels, have done a lot to ensure that all students and all teachers have the opportunity to go to schools that are safe, disciplined, and drug free, but we clearly recognize that there is a lot more than needs to be done. We must be willing to tackle difficult questions, such as how to limit youth access to guns, and we must do it in a nonpartisan fashion. We stand ready to work with this committee on identifying and implementing strategies that will make our schools stronger and safer.

Mr. Chairman, one final comment, and that is to clarify in your opening statement the fact that the Gun Free Schools Act, which was passed in 1994, is part of the Elementary and Secondary Schools Act. That particular provision of the law did not criminalize the carrying of firearms. It required all States to adopt policies which, one, require the expulsion of all students found to have brought a firearm to school, and, two, to report these incidents to appropriate law enforcement officials, which in most jurisdictions are the local police or sheriff. They are the ones who are making the determination as to what should be done with an individual possessing a firearm.

Thank you very much.

[The prepared statement of Mr. Modzeleski follows:]

Testimony before the U.S. House of Representatives
Subcommittee on Criminal Justice, Drug Policy, and Human Resources

William Modzeleski, Director, Safe and Drug-Free Schools Program
U.S. Department of Education
May 20, 1999

School Violence: What is Being Done, What Should be Done

Good morning. On behalf of Secretary Riley, I want to say that we are pleased to testify before this subcommittee today. The Department of Education (ED) has a very strong role in helping to prevent school crime and violence. The Department's Safe and Drug-Free Schools (SDFS) program is at the forefront of collecting data and information on various aspects of the problem; but it also has extensive experience in identifying and disseminating information on effective strategies and for creating and maintaining environments that are safe, disciplined, and drug-free.

The Department of Education is supporting the nation's efforts to ensure that every child has the opportunity to go to a school and every teacher has the opportunity to teach in a school without being threatened, attacked, bullied, robbed, or forced to witness the exchange of drugs. We are not alone in these efforts. Working very closely with us every step of the way, is our colleagues from a host of agencies within the Department of Justice (DOJ), the Department of Health and Human Services (HHS), the Federal Emergency Management Agency (FEMA), and the Office of National Drug Control Policy (ONDCP). Our work with other agencies reflects the partnership approach to creating safe school environments necessary in every community in this country so that educators, law enforcement personnel, mental health and public health providers, youth serving organizations, businesses, churches, parents and youth themselves, come together to craft workable solutions. Success in creating safe schools is contingent upon our ability to forge linkages at all levels of government to share resources and ideas, and work together in a community, for our children and youth.

One month ago, two young men walked into Columbine High School in Littleton, Colorado and in several hours of random shooting changed the perspective of many people about the relative safety of our schools. The tragedy of Columbine—coming approximately one year after a string of school associated violent deaths—(Pearl, Mississippi; Paducah, Kentucky; Jonesboro, Arkansas; and Springfield, Oregon) gave many the clear impression that our schools were dangerous places where neither teachers nor students are safe, regardless of where the school is located, or who attends the school.

A report issued by the Departments of Education and Justice in October 1998, *Annual Report on School Safety*, provides a snapshot of school-related crime:

1. Ninety percent of public schools report no incidents of serious violent crime and a little less than half (43 percent) of schools reported "no crime" at all.

2. Children aged 12-18 are twice as likely to be the victim of a serious violent crime in the community as they are in school (26 per 1,000 in community versus 10 per 1,000 in school).
3. Overall, over the past five years, school crime generally has decreased. Since 1993, the overall school crime rate for children aged 12-18 declined from 164 crimes per 1,000 to 128 crimes per 1,000 students.
4. In the 1996-1997 school year, 6,093 students were expelled for bringing a firearm to school. Preliminary data for the 1997-1998 school year indicate that this number is decreasing—the CDC's Youth Risk Behavior survey indicates that fewer students brought weapons to school in 1997 than in 1991.
5. After six years of steady increases, drug use among students has begun to decline, and attitudes regarding drug use are improving. All three grades measured by the University of Michigan (8th, 10th, and 12th) have shown some decline in the proportion of students who reported using illicit drugs during the 12-month period prior to the survey.
6. The largest problem for schools—in magnitude—is not violent crime but discipline issues and non-violent crime. For example, approximately 62 percent of all crime involving students is theft.

Despite recent high visibility incidents in the last two years in Colorado, Oregon, Arkansas, Kentucky and Mississippi, school associated violent deaths remain extremely rare events. Furthermore, preliminary data from a joint ED/CDC prevention survey indicate that the number of students who are homicide victims in schools has been gradually decreasing, while the number of multiple victim homicide events has increased since ED and the CDC conducted its first School Associated Violent Death Study in 1996. The study conducted for the 1992-1993 and 1993-1994 school years, determined that:

- In the 1992-1994 school years, 63 students ages 5 through 19 were murdered at school and 13 committed suicide at school. Nationwide, during roughly the same timeframe, a total of 7,357 children ages 5-19 were murdered and 4,366 committed suicide, both in and out of school.
- Firearms were responsible for a majority (77%) of the total number of school-associated violent deaths (105).
- Both victims and offenders tended to be young (median ages, 16 and 17 years respectively) and male (82.9% and 95.6% respectively).
- The deaths occurred in communities of all sizes in 25 different States.
- Students in secondary schools, students of minority racial and ethnic backgrounds, and students in urban school districts had higher levels of risk.

The Department's efforts to help create learning environments in every region of the country that are safe, disciplined, and drug-free focus on ways to overcome some of the obstacles that confront many school districts and impede their efforts. For example, we are working to:

- Develop strategies to assist schools in collecting and utilizing sound, objective data for program planning and decision making. Too often, decisions about what programs and policies to develop, what priorities to set, and where to allocate resources are based on such factors as tradition, marketing priorities of curriculum developers, and other pressures to address a single issue or problem. The use of appropriate and relevant data that has been analyzed and shared with the public will strengthen decision making.

- Encourage all schools to implement "research-based" or "evidence-based" programs. Over the course of the past several years, we have learned a great deal about programs that are successful in preventing drug use, crime, and violent behavior. We have also learned which programs do not work. We need to focus on programs that have a high probability of being successful.
- Assist schools in viewing school safety and drug prevention efforts in a broader context. We know that, for prevention to work effectively we need to move beyond isolated programs that are unconnected to the school day or to other events happening in a youth's life and find a way to link prevention programs to relevant activities.
- Find a better way to target schools and communities in need. It's been said that the "good news" as well as the "bad news" about the Safe and Drug-Free Schools Program is how it allocates its resources. The "good news" being that 97 percent of all school districts receive funds and the "bad news" being that 97 percent of all schools receive funds. This is good news because every district in the country has the opportunity to use Federal funds to develop prevention programs. But, this is bad news because distributing funds to almost every district in the country results in 59 percent of the districts receiving less than $10,000. There are not many comprehensive, research-based prevention efforts that can be carried out for $10,000 or less.
- Ensure that, in the planning process, schools address the full spectrum of issues related to safety, discipline, and drug use. The biggest problem faced by schools is not crime or violence, but lack of discipline. We must resist the inclination to focus exclusively on high visibility issues such as school homicides or weapon carrying and ensure that the full range of inappropriate behaviors is addressed.

The Department's Actions to Make Schools Safer:

The Safe and Drug-Free Schools program is the only Federal program designed specifically to provide school districts with funds for drug and violence prevention programs. Since its inception in 1986 (as the Drug-Free Schools and Communities Act), the program has awarded over $6 billion. The 1999 appropriation for Safe and Drug Free Schools is $566 million and the Administration proposes to increase funding for the program by $25 million in FY 2000 to $591 million. Local educational agencies (LEA)s are using funds for a wide variety of programs. For example, to address the harmful effects of alcohol and drug use, or to teach youth how to control their anger and resolve conflict in a peaceful manner. Funds also support after-school and counseling programs, and "teen court" programs where students themselves are active participants.

Yesterday, the Administration announced plans for reauthorization of the Elementary and Secondary Schools Act (ESEA) including Title IV, the Safe and Drug-Free Schools and Communities.

Our reauthorization proposal for the Safe and Drug-Free Schools Act would make significant changes to improve the effectiveness of the program. The proposal would:

- Emphasize the implementation of high-quality, research-based programs that are consistent with the "Principles of Effectiveness". The proposal would also provide increased support for State activities designed to help applicants plan and deliver effective, accountable programs.
- Target more funds to districts with high need. States would focus program funds on districts with significant need that propose high-quality programs.
- Improve coordination between the state educational agencies (SEAs) and the Governor by requiring a joint State application for funding under the program, and joint technical assistance and accountability to support and improve programs being implemented by local districts and other recipients.
- Strengthen program accountability by requiring State and local recipients of SDFSCA funds to adopt performance indicators for their programs that are outcome based, and then report program progress against these indicators. Districts must also develop a comprehensive safe and drug-free schools plan to assure school efforts to create safe, disciplined, and drug-free learning environments are coordinated with related community-based activities.
- Help LEAs respond to violent or traumatic crises by establishing the "School Emergency Response to Violence." (SERV). This program authorizes the Secretary to provide rapid assistance to school districts that have experienced violent or other traumatic crises that have disrupted the learning environment.
- Require that students found in possession of a firearm in school be evaluated to determine if they pose an imminent threat of harm to themselves or others.
- Other provisions of the ESEA proposal would highlight school safety by for example, requiring each State to submit information in its annual report card, including the incidence of school violence and drug and alcohol abuse and the number of instances in which a student has possessed a firearm at school.

In addition, the Department is involved in many other activities to ensure that schools have the information and resources they need to create safe and drug free environments for learning. Among these actions are the following:

1. Safe Schools/Healthy Students Initiative:

The U.S. Departments of Education and Justice and the Health and Human Services Agency are collaborating on the Safe Schools/Healthy Students Initiative. This effort provides students, schools, and communities the benefit of enhanced comprehensive educational, mental health, social service, law enforcement, and, as appropriate, juvenile justice services that can promote healthy childhood development and prevent violence and alcohol and other drug abuse. These services and activities help young people develop the social skills and emotional resilience necessary to avoid drug use and violent behavior and establish a school environment that is safe, disciplined, and alcohol and drug free. This Initiative is based on evidence that a comprehensive, integrated community-wide approach is an effective way to promote healthy childhood development and address the problems of school violence and alcohol and other drug use.

Through a streamlined, single application process, successful applicants will receive support from the collaborating agencies for up to three years. To be considered comprehensive, safe school plans must address at least the following six elements: (1) a safe school environment (2) alcohol and other drugs and violence prevention and early intervention programs (3) school and community mental health preventive and treatment intervention services (4) early childhood psycho-social and emotional development programs (5) educational reform and (6) safe school policies. Annual awards will be made subject to continued availability of funds and progress achieved. Awards will be made to approximately 50 sites designated as local educational agencies. The LEAs must be joined in their application by the local law enforcement and public mental health authorities.

The awards will range from up to $3 million per year for urban school districts, up to $2 million per year for suburban school districts, and up to $1 million per year for rural school districts and tribal schools. In addition, the Office of Community Oriented Policing (COPS) of the U.S. Department of Justice, is making $80 million available for the hiring of law enforcement personnel to work in schools.

Proposals for funding through this initiative will be accepted until June 1, 1999. Grant awards are anticipated by the end of August.

2. Middle School Coordinators Initiative:

The SDFS Middle School Drug Prevention and School Safety Program Coordinator Initiative will support the recruiting, hiring, and training of one or more full-time staff to oversee implementation of drug prevention and school safety programs for middle school students. Research suggests that the presence of a full-time coordinator improves programming and, promotes better program outcomes. A well-trained staff member who is familiar with the research on effective prevention programming and who uses the approach to implementation set out in the "Principles of Effectiveness" is positioned to make informed and appropriate choices in designing and implementing prevention programs that meet the needs of students in the schools they serve.

Funds from this initiative ($35 million) can be used by LEAs to recruit, hire and train full-time drug prevention and school safety program coordinators for middle schools with significant drug, discipline, and school safety problems. The coordinators will be required to do the following: identify research-based drug and violence prevention strategies; assist schools in adopting the most successful strategies (including training of teachers, staff and other relevant partners); develop, onduct, and analyze assessments of school crime and drug problems; work with community groups and organizations to identify services for students; work with parents and students in identifying the most promising practices to drug and violence prevention; and in providing feedback to the SEA on the most effective practices.

Proposals for funding through this initiative will be accepted until June 1, 1999. Grants will be made by August 31, 1999.

3. Expert Panel on Safe, Disciplined, and Drug-Free Schools:

The Department has established an Expert Panel on Safe, Disciplined, and Drug-Free Schools to expand the current knowledge base on what works and what does not work in the prevention of substance use, violent behavior, or other conduct problems, and to recognize and give prominence to those programs which have been shown to be effective in preventing and/or reducing substance use, violent behavior, or other conduct problems. A panel comprised of 17 experts in the field of drug prevention, alcohol prevention, and violence prevention will review and make recommendations to the Secretary on programs which based upon objective criteria are determined to be "promising" or " exemplary."

The request for programs is currently in the field. Submissions are due on May 28, 1999. The Secretary will announce programs selected as either "promising" or "exemplary" in the early Fall.

4. National Resource Center for Safe Schools:

The U.S. Department of Education (Safe and Drug-Free Schools) and the U.S. Department of Justice (Office of Juvenile Justice and Delinquency Prevention) are collaborating to offer training and technical assistance to schools to enable them to create safer school environments. The National Resource Center for Safe Schools, operated by the Northwest Regional Educational Laboratory (NWREL), is providing assistance on safe school strategies that range from establishing youth courts and mentoring programs to incorporating conflict resolution education into school programming to enhancing building safety, hiring school resource officers, establishing or expanding before and after-school programming and adopting policies and procedures that are consistent, clear, and developed collaboratively by the school community.

5. Safe and Effective Schools for All Students and All Communities:

The Department's Office of Elementary and Secondary Education (OESE) and Office of Special Education and Rehabilitative Services (OSERS) are collaborating with the American Institutes for Research on the design of a conference that will focus on best practices and strategies. The conference will be held in the fall of 1999, and will bring teams of officials from a variety of State agencies together to learn more about the most promising drug and violence prevention strategies as well as to craft state-wide strategies for improved collaboration.

6. Partnerships for Preventing Violence:

Partnerships for Preventing Violence is a three year project consisting of a series of six live satellite teleconferences. The teleconferences are developed through a collaboration of three Federal agencies (ED, Justice, and HHS) and several non-governmental entities, including: the Harvard School of Public Health; the Prevention Institute; and the Education Development Center. The teleconferences will focus on providing professionals with a thorough understanding of comprehensive, effective, school-centered violence prevention approaches. The next satellite broadcast is scheduled for Oct 15, 1999.

7. Other Department of Education Activities Related to Creating Safe Schools:

The Department is involved in a number of activities, which have impacted on the creation of safe, disciplined, and drug free schools. These efforts include:

- Conflict Resolution Training: The Office of Elementary and Secondary Education (OESE) in collaboration with the Office of Juvenile Justice and Delinquency Prevention (OJJDP), training and technical assistance is being provided to schools and community groups on how to develop and implement the most effective conflict resolution programs.

- Safe and Drug-Free Schools Recognition Program: The Office of Elementary and Secondary Education is in the process of identifying schools that have the most effective drug and violence prevention programming. Announcements regarding these schools are expected in the summer of 1999.

- Hate Crimes Training: OESE and OJJDP have joined together to support a program that provides training and technical assistance to schools and community groups that want to develop and implement programs that prevent hate crimes.

- After-School Programs: The Department has supported the expansion and development of after-school programs. Funding for these programs—under the 21st Century Community Learning Centers—has expanded from $1 million to $200 million in FY99. The budget request for FY 2000 is $600 million.

- Improved Data Collection: To ensure that information related to a variety of safe school issues is collected on a regular basis, the Office of Elementary and Secondary Education has entered into an agreement with the National Center on Educational Statistics to regularly collect and analyze data related to school crime and violence.

- Publications: In October 1998, ED and Justice issued the *First Annual Report on School Safety*. This report was developed at the request of President Clinton after the tragic shooting at West Paducah High School in December 1998. The report provides parents, schools, and the community with an overview of the nature and scope of school crime and violence and describes steps schools and communities can take to address this critical issue. We are planning on releasing the *Second Annual Report on School Safety* in October 1999.

  In August, 1998, the U.S. Department of Education and the U.S. Department of Justice in collaboration with a host of organizations headed by the National Association of School Psychologists, released *Early Warning Timely Response: A Guide to Safe Schools*. The guide was prepared to help adults reach out to troubled children quickly and effectively. The guide was sent to every school superintendent and principal in the country. The guide places a strong emphasis on prevention and gives educators and teachers a clear understanding of the sixteen warning signs that can help school officials prevent tragedies similar to Littleton. Copies of the guide can be found on the Departments of Education and Justice web page.

In addition to the *Annual Report on School Safety* and the *Early Warning Guide*, the Department has published a host of other publications related to the creation of safe and orderly schools. These publications include: *Bullying Prevention Manual; Manual on School Uniforms; Manual on the Prevention of Hate Crimes;* a revised *Parents Guide to Drug Prevention; An Action Guide for Creating Safe and Drug-Free Schools;* a *Guide to Prevent Sexual Harassment.*

While we are doing a lot to help schools create safer environments for learning we clearly recognize that we cannot do it alone. The creation of safer schools is only going to come about with the help, support, collaboration and coordination of a broad group of government agencies, youth-serving organizations, parents, schools, businesses, clergy, and youth.

Mr. MICA. I thank you for your testimony. In fact, I thank both of our witnesses.

We do have a vote, and I think we have got about 6 or 7 minutes left in the vote, so we will recess this subcommittee hearing until 11:15. I will ask our witnesses to come back at that time, and we will begin questions. Thank you; we are in recess.

[Recess.]

Mr. MICA. I would like to call the subcommittee back to order.

We have heard from our first two witnesses. They have described some of the Federal programs that deal with the topic at hand. The problem of school violence.

I would like to start the first round of questioning, if I may, by directing a couple of questions to the Director of our Safe and Drug Free School Programs—is it Modzeleski?

Mr. MODZELESKI. Yes, sir.

Mr. MICA. I want to pronounce it correctly. Sir, I am afraid that if I told the folks that you spent how much? Is it $566 million?

Mr. MODZELESKI. Yes, sir.

Mr. MICA. Is that your amount—$566 million for Safe and Drug Free Schools, and parents were grading the report card for the agency right now, you would probably be getting a "D" or an "F." I think the perception out there is that we are not addressing the problem, and it appears we are spending significant amounts of money. Was it you that testified that there is another program that is going to be introduced or you have an announcement coming?

Mr. MODZELESKI. Yes, sir.

Mr. MICA. And when is that?

Mr. MODZELESKI. Either today or tomorrow.

Mr. MICA. And can you tell us the details of it?

Mr. MODZELESKI. Yes, sir, very much so. Let me first say that it is not the Department of Education that is spending in 1998 over $550 million on State grants. For the most part, these are funds that go to the State education agencies and, in turn, go down to the local education agencies, and the local education agencies are making determinations and decisions about how to spend these dollars with a great deal of flexibility. So, decisions regarding what programs to place in schools, what activities to engage in, are being made at the local level. They are not being made at the Federal level.

The entire Elementary and Secondary Schools Act will be submitted for reauthorization, as I said, either later today or tomorrow. The President will set up the entire bill, and that will start a process both here in the House as well as in the Senate on reauthorizing the entire bill. Title IV of that bill is the Safe and Drug Free Schools Act, and that contains provisions for overhauling the Safe and Drug Free Schools Program. What it will do is that, No. 1, we are attempting to balance the flexibility with greater accountability to improve the quality of programs that are funded at the local level while continuing to ensure that decisions made about what programs to adopt, what programs to place in schools, are decisions made at the local level, not in the State Capitol nor in Washington.

Two, is it strengthens the Guns Free Schools Act by requiring that anybody who is found to be in possession of a firearm or somebody who brings a firearm to school will have to go through a mental health assessment to determine whether or not that person poses a threat to himself or to others.

Three, it adds a provision that will provide funds for recovery to schools, such as Columbine or Springfield, OR, last year, that have had tragedies.

It also sets up a provision in other titles, specifically title XI which will require that schools not only have school discipline policies but that those school discipline policies be developed with parents and students, that they be enforced in an equitable basis, and also that schools, school districts and the States have report cards and that the report cards contain information not only on firearms but also on other incidents of serious violent crimes that occur in the school.

Mr. MICA. It is my understanding that prior to 1998, there was actually more money in the program. Is that correct?

Mr. MODZELESKI. Yes, sir. Yes, there was.

Mr. MICA. I guess there was an outcry of criticism as to how moneys for the State schools program was being expended. The criticisms were—paying for a clown act, magic shows, a new Pontiac Grand Prix, a holiday awareness campaign, encounter seminars at a tourist retreat. I guess you got a lot of heat from Congress about how the money was spent, so there was a cutback. There is an array of other programs—the camera is rolling, and I don't want to get into a description of all of them here—but they arguable were not promoting safe schools. I guess there was quite a bit of criticism, and that is one reason why some of these funds got cut. Is that correct?

Mr. MODZELESKI. It is one of the reasons why. It wasn't the sole reason why, and, also, again—

Mr. MICA. If it wasn't the reason why, what has been done to make certain that these expenditures for which you were criticized, or your program was criticized, are not reccurring? Have we taken care of these problems?

Mr. MODZELESKI. We think we have. I think that there have been several steps. One, again, to ensure that the steps that we have taken are codified. In our reauthorization proposal, you are going to see significant steps to improve the accountability of the Safe and Drug Free Schools Program. Second, in July of last year, we issued what is called the Principles of Effectiveness. What we require now from every school district receiving funds from the Safe and Drug Free Schools Program is that they do four things: one is that they conduct an assessment of their problems, so, clearly, they have a better understanding of what is happening in the school and programs are based upon that assessment, not upon guesswork or not upon what an individual says. Two, we are asking every school district in this country to work with the community to develop measurable goals and objectives so we know exactly where they are. Three, we are asking every school district that uses Safe and Drugs Schools Program dollars to ensure those dollars are being used for research-based programs. And, four, we are asking every school district to ensure through a periodic evaluation, that the goals and objectives they have set out—not what the Federal Government established—but the goals and objectives are actually met, and that if the goals and objectives aren't met, that the program be either altered or eliminated.

Mr. MICA. How many people do we have administering this program?

Mr. MODZELESKI. Approximately 25, sir.

Mr. MICA. That is the total in Washington?

Mr. MODZELESKI. Yes, sir.

Mr. MICA. OK. You gave some statistics. It was interesting the way they were presented, and I am not sure—maybe you could clarify for me—you said 43 percent of the schools reported no crime?

Mr. MODZELESKI. Yes, sir.

Mr. MICA. Does that mean that 57 percent, more than a majority, experienced some incident of crime?

Mr. MODZELESKI. Some incident of crime; yes, sir. I should also say that one of the statistics—and if you would allow me, I would love to put the 1998 report into the record.

Mr. MICA. I would be glad to do that. Without objection, so ordered.

[NOTE.—The 1998 Annual Report on School Safety may be found in subcommitee files.]

Mr. MICA. Is that statistic for elementary, secondary—what schools?

Mr. MODZELESKI. For all three levels, sir.

Mr. MICA. For all three levels.

Mr. MODZELESKI. And it also includes serious crime as well as serious, non-violent crimes, such as theft, which is the largest crime that occurs in schools today.

Mr. MICA. But over a majority of our schools had some reported incident of crime?

Mr. MODZELESKI. Some incident of crime, including less serious crimes, such as theft.

Mr. MICA. In your recommendations that are coming out tomorrow, you talked about the law that was passed some time ago dealing with guns and schools. Is there a proposal to Federalize this as a criminal act in what is being proposed tomorrow?

Mr. MODZELESKI. No, there is not, sir.

Mr. MICA. OK. Dr. Chevez, you oversee our Substance Abuse and Mental Health Services Administration at the U.S. Department of Health and Human Services. How much does your agency spend annually?

Dr. CHAVEZ. I am sorry, Mr.—

Mr. MICA. What is the total budget for your agency?

Dr. CHAVEZ. Our total agency budget for SAMHSA is approximately $2.5 billion. The majority of those dollars are in block grants for substance abuse.

Mr. MICA. My question would be—and I know you have many worthwhile substance abuse programs—is there any way for you to give the subcommittee an estimate of what percentage of dollars might be directed toward the question of school violence or problems? I don't know if that is possible, but maybe you could give us some idea of what level of funds you think are going toward those programs that deal with this problem?

Dr. CHAVEZ. Mr. Chairman, I would be very happy to submit a detailed report to you and to the committee.

Mr. MICA. Without objection, we will make that part of the record.

[The information referred to follows:]

Insert Line 913, Page 40

Allocation of $40 million dedicated to SAMHSA's School Violence Prevention Initiative

Safe Schools/Healthy Students Interagency Program	
Grants	$23.5 million
Evaluation	$1.5 million
Subtotal, Safe Schools	$25.0 million
School and Community Action Grant Program	$5.0 million
Center for Substance Abuse Treatment allocation	$750,000
Technical Assistance and Violence Prevention Coordination Center	$2.7 million
Public Education/Awareness Campaign	$1.6 million
Innovation/Technology Tool Kits	$1.8 million
Miscellaneous data, white papers, support, etc.	$3.9 million
Total CMHS funding of School Violence Prevention Program	**$40.75 million**

Note:

In addition to amounts listed in the table above, it is possible for States to devote portions of their Substance Abuse Block Grant and Mental Health Block grant allotments to school violence initiatives.

Mr. MICA. We are trying to get some handle on the dollars that are being spent and how they are being spent. I thought you gave some interesting statistics. You said one in five children in our schools have serious emotional or mental health problems. Was that—I was trying to write it down; I failed my stenograph course—was that what you said?

Dr. CHAVEZ. That is correct, Mr. Chairman. Basically, what I said—

Mr. MICA. And you said 60 percent are not having their mental health or emotional problems addressed. Is that also correct?

Dr. CHAVEZ. Yes, Mr. Chairman.

Mr. MICA. One of the problems we have here is that it seems like we have either an emotional or values or mental health problem with students who aren't conducting themselves in a normal fashion. In fact, a very abnormal fashion. As far as correcting that, do you have any specific recommendations? And I know there have been proposals, that is the first part of the question. The second part is, the question about parity as far as coverage with insurance, health insurance, relating to mental health. I wonder if you have any comments about what we should do in that regard? So, there are two parts to the question if you could please respond.

Dr. CHAVEZ. Yes, thank you. Let me respond to the first part of your question. What we are seeing—and I indicated that earlier—is that children in adolescence, more and more, have a multitude of problems, a multitude of needs, and this cuts across all segments of society—all socio-economic groups as well as all racial and ethnic groups. We are also seeing that we have got—as I indicated earlier, approximately one in five children in this country that may have a serious emotional problem and/or a behavioral problem. Most of these children—60 percent—are not able to get the kind of services they need. If you look at our funding, for example, our mental health block grant under the Substance Abuse and Mental Health Services, the block grant is targeted for those individuals and for children who have a serious emotional problem. We don't really have a system in this country, for example, where parents and teachers can turn when they see a child in the classroom or in the home experiencing some problems, either related to depression or anti-social behavior, unless they have insurance. If they have insurance, in most instances, the insurance will not cover the kind of treatment that they may need.

Your question about parity—yes, I strongly support mental health parity as well as substance abuse parity, because, in the long run—and we have several studies we have done in this area where the cost is minimal—in the long run, I believe that it is very cost effective.

Mr. MICA. I probably agree with you. I oversaw the—in two sessions of Congress, the Federal Employees with Health Benefit Program, and I think it only cost about $18 million to provide 9 million people with that benefit. Instead, the administration proposed a series of mandates and regulations with no medical benefits—that is another question; we won't get into it at this hearing. But I agree with your comments on parity as far as insurance and mental health.

Either of you, just a final question: Do we have in the agencies and Departments, right now, some type of task force or some type of activity to address what we have seen reccurring and the problems that we have? What are we doing right now in addition to—you said you were coming forward with some recommendations—but are we really looking at? I imagine we have studies and other things about this, but are experts coming together and are we trying to focus in on this problem? Mr. Modzeleski.

Mr. MODZELESKI. Thank you, Mr. Chairman. The answer is clearly, yes. There are a variety of things happening, not only in the Department of Education but in the Department of Justice, the Department of Health and Human Services, and within the various agencies within those large Departments. Both Dr. Chavez and myself mentioned the Safe Schools, Healthy Children Initiative. This is a program whereby representatives from several Federal agencies meet on a regular basis to look at the type of strategy and program that is really needed to create not only safe schools but healthy children. It is an effort and attempt to begin to combine funds from not one agency, but funds from three agencies, in the development of a comprehensive program designed to create safe schools. So, its front end is on the prevention side.

Also, and again, I hope that Dr. Dwyer, later, talks about the Early Warning Guide, because we have been working collaboratively with the Department of Justice, with the National Association of School Psychologists, and with a host of other groups and organizations to identify the front end. What prevention efforts are needed? What happens when you identify a child who has some problems in school? Where do you refer that particular child? How do you refer them? So, there are some efforts on the prevention side.

Last, in the crisis or the response, what happens when a Littleton does occur, when a Springfield does occur? In the fiscal year 2000 budget for the Department of Education, there is $12 million in there that would basically set up a revolving fund to help schools recover from such disasters.

And, in my testimony, we outlined a whole series of prevention and early intervention activities that we are engaged in. I am sure that Dr. Chavez is engaged in a whole group of other activities. I just want to say that these are not activities that we, alone, are engaged in; this is a partnership. We have got to continue to look at this as a partnership working collegially and cooperatively with other agencies in the Federal Government.

Mr. MICA. Dr. Chavez.

Dr. CHAVEZ. Thank you, Mr. Chairman. We are working in several areas. One, we have a prevention roundtable that has been established by Dr. Karol Kumpfer, the Director of our Center for Substance Abuse Prevention. Basically, what they are doing is working with not only agencies within the Federal Government but they have also been very, very much involved in a coalition throughout the United States, the Prevention Coalition.

In addition to that, we have been very much involved, through our Center for Mental Health Services, in the incidents that have occurred in Colorado as well as those in other communities. Through the work of Dr. Arons and many of the other Federal agencies, including working very closely with Mr. Modzeleski, we have been addressing the issue. In fact, I want to say that we had begun working on this long before this incident happened in Littleton. In the project I described earlier where we brought in all the three major Federal agencies on that one project, that didn't evolve, in terms of the idea, from the Federal people; this was after having focus groups with teachers, principals, students, and people throughout the country. I think it is very important that we must listen to what our young people are saying in terms of some of the things they are feeling, some of the things they see as solutions to these problems.

Mr. MICA. Thank you. I would like to yield now to our ranking member, Mrs. Mink.

Mrs. MINK. Thank you, Mr. Chairman. I would like to ask unanimous consent that we be allowed to submit written questions to all of the witnesses today.

Mr. MICA. Without objection, so ordered, and we will leave the record open for at least 2 weeks.

Mrs. MINK. Two weeks, fine. Because there are so many questions on my mind that I think are relevant to this inquiry regarding violence.

What strikes me as being the most provocative of all the questions relating to the Columbine High School situation is the fact that most of the witnesses that were interviewed following that incident stated that there was no drug abuse, no drugs evident in the two young people. Nor was there, in terms of the teachers and school principal and other officials that had contact with the two, any indication that something like this was part of their intention. Other than what was discovered after the fact on their website and in various e-mails, there was no sign.

I am also struck by your statement, Dr. Modzeleski, that in 90 percent of the schools, there were really no reports of serious violent crimes, that we are talking about 10 percent of the schools where these incidents happen. With the assets that the Congress has provided you in this area of safe schools—the drug issue is separate, because I think that sometimes in the past we have concentrated our effort on the drug abuse issue. Today, we are trying to see what we have done in the safe schools issue, if we can separate it out, and what I wanted to ask both of you is, of all the grants, the programs that you have authorized, the funding that you have allowed the State and local agencies to use, which, in your opinion, have been the most productive in responding to the type of situation that we found at Columbine?

Mr. MODZELESKI. Let me say that Jefferson County in Colorado is the largest school district in Colorado; therefore, it receives the most Safe and Drug Free Schools dollars. It receives more Safe and Drug Free Schools than any other school district in Colorado.

Mrs. MINK. How much would that be?

Mr. MODZELESKI. I will get that for you, Madam Vice Chairman.

[The information referred to follows:]

Jefferson County Schools, Colorado
Formula Grants:

FY '99	$330,997
FY'98	$402,432

Safe Schools/Healthy Students Grant

FY'99	$2,790,000

Jefferson County was not a recipient of "greatest need" SDFS funds.

Mr. MODZELESKI. I spent a couple days out in Littleton shortly after the disaster trying to work through some mental health crisis issues with them and trying to ensure that they had staff on board to help reopen the school shortly after it happened. I was struck by the fact that Jefferson County has one of the better Safe and Drug Free Schools Programs in the State, not only in the State, I think in country; very diligent—

Mrs. MINK. What did it do that you found better than others?

Mr. MODZELESKI. First of all, I think it really made an attempt to connect children to institutions, connect children to schools. To identify those children who are at risk of alcohol and drug use, and really provide them with the services and support necessary to help them along the path. I would also say that while this is a hearing on school safety and school crime, I don't think we could decouple the issues of alcohol and drug use from school safety. Many of the risk factors inherent in alcohol and drug use are the same risk factors inherent in violent behavior. I think we really need to find a better way at the local agencies to deal with both issues and not segregate the issues out. I think the fear that we have is that if you begin to segregate the issues out, schools will focus only on one issue and that is the issue of school safety to the disregard of the other issue, which is alcohol and drug use when in many ways they are linked together. We really need to find a way to get schools to think about what the risk factors are that children possess, and what are the protective factors that we can instill in schools, in communities, and in homes that really protect against violence, drug use, and other types of behavior which are unacceptable?

So, again, the issue of the dollars that local education agencies receive are flexible dollars. The community really has a decision whether they want to put those moneys into conflict resolution, afterschool programs, peer mentoring programs, teen court programs, hiring of law enforcement officials, more metal detectors. Hopefully, those decisions are not made in a vacuum and hopefully those decisions are made with the help and support of teachers, parents, administrators, and students, themselves.

Mrs. MINK. Dr. Chavez.

Dr. CHAVEZ. Thank you, Congresswoman—

Mrs. MINK. Before you answer, how much of your funding actually is directed to school situations, school-based situations, other than the general issue of substance abuse and mental health?

Dr. CHAVEZ. Right now, we have $40 million that we are directing to school violence, but, as I said earlier, we have other dollars, as well, but I do not have the breakdown. The majority of our funding—

Mrs. MINK. Out of $2.5 billion, only $40 million to schools?

Dr. CHAVEZ. $40 million, that is correct. We have block grants, which is a substantial amount of money, but, again, as Bill indicated with their block grant, our block grant goes directly to the State. Once it reaches the State, the State makes the decisions—

Mrs. MINK. How much of that State money is directed to the school-age population?

Dr. CHAVEZ. This is information that we do not have available. When the State receives those dollars, they are free, in terms of the flexibility of the block grant, to expend those dollars based on services that they—

Mrs. MINK. There is no requirement to report back or any requirement for accountability for funding?

Dr. CHAVEZ. The requirement to report back is a financial requirement, it is a fiscal requirement, which they do submit on an annual basis, as the expenditures. In terms of whether the programs have been effective or not, they are not required to report that. However, under our reauthorization, one of the things we are asking for is that the block grants be based on performance measures, so that we will be—

Mrs. MINK. My question is not really on effectiveness or how effective or appropriate or whatever; it is just an accounting question as to whether the funds that are block granted to States are going to the schools and school-age children?

Dr. CHAVEZ. The States are required to submit financial information on how they expend those Federal dollars in relation to substance abuse, treatment, prevention, and mental health.

Mrs. MINK. So, you don't really know who the end user is?

Dr. CHAVEZ. If the State reports that information as part of their application, then, yes, we do, but in terms of being able to answer the question: Do we know what percent of those dollars the State is spending through their block grant on school violence? No, I do not have that answer. We will try and get that answer for you, but, again, this is something that we would have to go—it is not in our statute in terms of those kinds of things that we are required to ask the States, again, because of the flexibility that is there.

Mrs. MINK. One final question, if I may have this—even though the red light is on. Under mental health services, are any of your funds directed to deal with the children in the category that the Education Department deals with under IDEA?

Dr. CHAVEZ. In our Center for Mental Health Services, we have an appropriation of approximately $78 million for children's mental health, to provide comprehensive mental health services in communities for children that are seriously mentally ill. The requirement, in terms of communities that are eligible to apply for this discretionary funding, is that they must develop a plan that includes the schools, the juvenile justice system, and other social service agencies.

In the 6 years that this program has been in operation, we have very positive outcomes to report. For example, children that are part of this system have improved mentally in terms of their school attendance, but also we have seen a reduction in the number of children that have been institutionalized. Consequently, there have been some dramatic savings to many of the communities in terms of foster care, et cetera. So, yes, there is a direct relationship in terms of our children's mental health in working closely with the schools. However, I must emphasize that the children that are eligible for this program must be children that have been diagnosed as seriously mentally ill.

Mrs. MINK. Thank you.

Mr. MICA. Thank you. I would like to yield now to the gentleman from Indiana, Mr. Souder.

Mr. SOUDER. Thank you, Mr. Chairman.

First, I would like unanimous consent to put this chart in from ONDCP regarding marijuana use being related to delinquent behavior and also aggressive behavior.

Mr. MICA. Without objection, so ordered.

Mr. SOUDER. Clearly, not every case of every shooting in the country has drugs or alcohol involved. But, as we heard from Dr. Kingly over in the Education Committee yesterday, it is clearly—while not everybody who is on drugs carries a gun to school—it is the best predictor of whether or not somebody is going to bring guns to school. If, indeed, they started their drug abuse at an early age or it is frequent, the odds soar and I think you are absolutely right that they are interconnected.

I have a series of questions, and, hopefully, Mr. Modzeleski, as we work through the Drug Free and Safe Schools section in the Elementary and Secondary Education Act, we can work together with some of the details on targeting. You had some suggestions here on specific things that you would like the States to submit, and I would like to do some followup with that.

I want to make sure in my time here that I can pursue a question that has come up in a number of other areas, including our juvenile justice, that I am concerned about. It is troubling to me, from my religious perspective, how some of the difficult moral questions are being handled right now in trying to address the question of hate crimes. Not only have we seen, in some of these schools, actual persecution and shooting of kids because of their religious views, I am wondering whether or not you would have any objection if we continue to push to try to expand the definition to include those who have strong moral views. In particular, what I want to pursue here is the difficulty of how to do conflict resolution and reducing the tension where kids make judgments about others that lead to both verbal or physical assault and then how not to, in effect, offend the religious beliefs that are deeply held of other people.

In particular, in this report, Preventing Youth Hate Crimes, in the back of this, you refer to a number of webpages. The only State webpage referred to in this booklet is Washington, in that program, in part four on hate crimes, which you held up—you have a disclaimer saying you don't agree with everything in each one. At the same time, this is the only State one held up—this says what is age appropriate at the elementary school level? And this clause says, "A gay man is someone who loves another man best of all. A lesbian woman is someone who loves another woman best of all. Heterosexuals are people whose dearest love is of the other sex. People are bisexual if they sometimes fall in love with a woman and sometimes with a man." And then, underlined, "people who have always felt as if they were in the body of the wrong sex are called transsexual. Some transsexual kids grow up and get sex change operations and some don't."

Now, the problem here is that many of us who have deeply held moral views do not want—and part of the reason there is a public reaction against public schools—and my kids have been in public schools; I have gone through public schools; I still have kids in the public schools—but this is the type of thing that would drive me to pull out. If I found that my fifth grader—because this says elementary school level—is being taught an amoral approach to transsexual sex change operations rather than what I believe hate crimes should be—it is something more like this: whether you feel someone's behavioral or sexual preference is right or wrong, you don't have the right to verbally assault them, verbally offend them, physically assault them, because what is offensive is taking your personal views out on somebody else.

That is the problem here, but in trying to teach tolerance, we are, in effect, taking a neutral view on the behavior which is, in effect, counter to what their parents or their church is teaching.

Furthermore, they can be taught that they are intolerant and kids become intolerant of them, because they are merely stating their view of what is right and wrong and what they have been taught by their families. And, in fact, tolerance goes both directions. What is intolerable is to have you take offensive behavior, insulting behavior, or things that restrict other people as opposed to having those beliefs, and this type of thing is expanding, and it is particularly discouraging to me that it is expanding under programs that, while they have good goals, in fact, are very offensive not only to me, personally—and it is offensive to me, personally. I am not claiming this on behalf of other people; it is offensive to me as a parent and as a christian, but also many, many parents are voting with their feet and moving out of the schools because of this type of thing, and I would like to hear some of your responses. This is a difficult question.

Mr. MODZELESKI. It is a very difficult question, Congressman. Thank you, and I appreciate your comments. As you stated, and I would agree 100 percent, this is a very, very difficult question that we are dealing with.

Also, the Department of Justice, the administration is moving forward with a bill which would expand hate crimes legislation to cover issues such as you have mentioned regarding tolerance for sexual behavior. So, that is going down on different track. But, clearly, I think that in schools we have to be tolerant of people who are different in any way, and I think that covers a broad definition of hate crimes, tolerance because people are of a different race; tolerance of people who may be of a different religion; tolerance because they have different sexual beliefs or identities. I think that tolerance covers a broad range of issues, and we should be teaching tolerance—and this just isn't in school; I mean, basically, broadly speaking about tolerance.

I am a little bit—I guess I am a little bit confused that if we did not teach tolerance about this particular issue, what would we be doing in public schools? Should we be teaching children not to be tolerant of somebody who expresses a different sexual belief? We would be willing to work with you on that, but this is a very, very difficult position.

We also clearly understand from data that has been submitted and collected by the Department of Justice that the whole issue of sexual identity and differences in sexual identity does lead to fights, does lead to victimization on the part of those individuals who have different sexual identities, and we have to deal with the entire student body.

Mr. SOUDER. But why do you stress—when there are deep differences of opinions on something—why do you stress—because the word "tolerance" here is actually used as almost an attitude-changing question as opposed to tolerance in the sense of different people are allowed to live together even if they are wrong. In other words, part of free speech in America says that even someone who, if they don't advocate violent action as a Nazi or a Communist, we let them speak, but it doesn't mean we have to say that tolerance means that their behavior is OK.

I am not asking the schools to say that homosexual behavior or transsexual operations or bisexual behavior is wrong; I am merely trying to say that they shouldn't be taking the position that it is normal either. In other words, what schools should be teaching in tolerance is that whatever that person's position is, you don't have a right to go verbally assaulting them, making fun of them, physically assaulting them. But to then tell them "Oh, that is because some people choose this and that" is entering into another realm of it, and that is moral teaching.

Mr. MODZELESKI. I see what you mean.

Mr. SOUDER. And that is what a lot of us are troubled about. We are trying to get to that, because I may have a strong view, but I am not going to—I believe it is just as offensive to my belief to persecute, to mock, to do any of that type of thing.

Mr. MODZELESKI. It was not the intention of that manual to do that, Mr. Souder, not at all. It was basically, I think, to expand the whole issue, as you mentioned, of tolerant views toward people, because they may be different.

Mr. SOUDER. Then we need to then work—because one of the extensions of this argument is, because you very eloquently pointed out, kids are made fun of. There is no question that any sort of difference from the norm is harassed in school, whether you are short, whether you don't have designer clothes, and so on. What I am trying to encourage here is, as we look at the manuals and try to do tolerance, that what we try to say is, we are not really going to radically change that kids are going to torment each other in the sense of changing, undergirding, things of normative behavior and that we are not going to make everybody the same size and so on. What we ought to teach them is regardless—what we have to teach in tolerance is that in this country everybody is here. It doesn't mean we have to accept everybody's behavior, but we have to learn to live together, which is a different goal, quite frankly, than much of what is in here, which is trying to change the attitude underneath that says whether a behavior is right or wrong, which is really not the business of the school. It is the business of the parents and the church. What you want to teach is how to live together so we don't become like the Balkans, and I would like to work with that.

And I know I went over the 5-minutes, but I have a series of detailed questions on the drug issue and stuff, because we are looking at whether to separate some of the Safe and Drug Free Schools, whether we should drive the grants—some of the problems with these school grants is they are so small when we get to a given school, I want to look at some creative ways as we are going through—

Mr. MODZELESKI. And we would love to do that and work with you, Mr. Souder, on that issue, and the bill that will be coming forward to you very shortly expresses the administration views, but, as I say, we are open to working with you. Thank you.

Mr. MICA. Those questions will be made part of the record, without objection.

I am pleased now to recognize the gentleman from Maryland, Mr. Cummings.

Mr. CUMMINGS. Thank you very much, Mr. Chairman. I want to thank the witnesses for being here today. I have just listened to Mr. Souder, and I am thinking about tolerance and looking at this annual report on school safety, which was prepared jointly by the Departments of Justice and Education, and it is very interesting, and I just wanted to know your views on this—I am sure you are familiar with it, Dr.—

Mr. MODZELESKI. Mr. Modzeleski.

Mr. CUMMINGS. Modzeleski. It says, under the category of creating a climate of tolerance, it says, "fostering and maintaining a safe learning environment means creating a climate of tolerance in which all students are comfortable and secure, particularly in adolescents who have strong needs to be accepted by their peers. However, because of stereotypes, ignorance, and intolerance, certain individuals and groups tend to be alienated from their fellow students. A source of conflict in many schools is the perceived or real problem of bias and unfair treatment of students because of ethnicity, gender, race, social class, religion, disability, nationality, sexual orientation, physical appearance, or some other factor both by staff and peers. Schools can encourage students to be more accepting of diversity through schoolwide awareness campaigns, policies which prevent harassment and discrimination, and offering support groups."

How do you feel about that?

Mr. MODZELESKI. Supportive, fully.

Mr. CUMMINGS. I do too.

Let me go to something that is just—first of all, I want to thank you, Mr. Chairman, for having this hearing and certainly our ranking member.

I would venture to guess in my district, which is the inner city of Baltimore, there are probably somewhere in the area of 50 to 75 black kids who are shot dead every year, every year; probably more than that—teenagers, students not in school. And, you know, when I look at the Columbine thing, I have a lot of sympathy, I really do; it is wrenching, and it shocks the conscience. And when I go in my neighborhoods and I talk to my constituents, they say, "I wish somebody would scream and have it on national—international TV for our children and the funerals that we go to and the coffins that we have to buy. We wish that someone would send somebody into our schools, too, who can deal with the grief and the pain." And this is every year.

And, so I look here at—I was listening to Mr. Souder, and I started thinking about some of the things that he talked about, and I just find it very interesting when we are talking about—the statement that I read talks about alien Nation. When these young men at Columbine—when they did their little research on these killers—and, by the way, these are our children, still. They once played hopscotch and hide and go seek this is just a few years later. They said one of the problems with these guys is they felt alienated. They felt like they weren't a part of anything. They also suffered from something that is very, very unfortunate about our society—they were racist. They hunted down that little black boy and killed him, because he was black. They had a problem with jocks; people who apparently tried to be good guys, good students, probably good student government guys and girls—they wanted to kill them. And then we talk about gun control; we talk about these factors.

There is a lot that goes into what happened there, and I don't think it is easy to solve this problem. We have in our society where we don't have the Father Knows Best society anymore—where mamma and daddy are at home, where mamma's at home; daddy works, comes home at 5 o'clock—it is not that way anymore. You have parents who are struggling trying to make it, both in neighborhoods like Columbine and in the inner city of Baltimore. Only in the inner city of Baltimore, usually, there is only one parent or some grandparents that are barely making it.

And, so that leads me to this: we have a school—and I invite you to come to the school with me—called Walbrook High School in Baltimore, which is located in the inner city where when everybody was running around putting up all these metal detectors, they were taking them down.

Let me tell you about the principles, this is a young principal who is about 40 years old. His name is Andrey Bundley, and, Mr. Chairman, I invite you have him come speak to us, because he got it; he gets it. What he has done is decided that it did not make sense to distrust his students. This is an all black school—he said, "Look, we are going to create an environment of love, excellence, respect, and humanity." And, so he told the students, "Look, if somebody brought a gun into your house, what would you do?" All the students said, "We would do something. We would make sure that mamma or somebody knew that there was a gun in the house." He said, "Well, this is your house. This school is your house. You spend almost as much as time in this school as you do your house." So, there is no such thing in this school as a snitch, because they get it. They get that they are trying to protect their house. Most of their friends are in that school. They spend a lot of time there. The school is basically a major part of their life. So, that is No. 1.

They don't have any discipline problems at this school. Why? Because they get it. And they have done something else, they make sure that everybody understands that no matter what they are or who they are, as long as they go by the rules, they are part of an entire body. I am not going to alienate you because you are not a jock. I am not going to alienate you because you do this or you do that; we are all a part, and it is creating an atmosphere. But did CBS News do anything on them? No.

All of the periodicals that I have seen on education here lately, all I am seeing over and over again on education is how can we buy more metal detectors? That is what you are hearing. The guy was on the CBS News—on the news station last night, one of the national news stations, he said, I can't—the owner of one of these metal detector companies said, "I can't keep up with the orders."

Some kind of way we have got to get back to something called parenting. That is what it is all about—parenting, making children feel like they are part—sometimes I think what happens is that we, as adults, forget what it is like to be a child. We get so busy legislating and doing all of this that we forget the faces of children and how children view life; how they feel when they are 13 years old and they are fat and they are being left out of the baseball games or they are not a part of it or they are not a part of any organization, because there is no organization to be a part of.

And, so some kind of way, I think that when we begin to look at these solutions, I want you to come to Walbrook High School. Maybe we will get some cameras to watch these wonderful, beautiful, brilliant children as they come in and out of school feeling safe. Because they know that they care about each other, and they are not being biased or discriminating or alienating each other. They have a principal who understands that some kind of way if they are not getting it on the outside of school, he is trying to give it to them on the inside of the school, and, guess what? What he has discovered is that when they get it on the inside of the school, they then take it out, back to their homes, and they are able to teach, sometimes, their parents how to have this human element that we are all one; we are all human beings, and we are all in this world together. So, I invite you. I said all of that to give you an invitation.

Mr. MODZELESKI. I would be delighted to take your invitation.

Mr. CUMMINGS. Well, I want you to do it soon, because the school year—

Mr. MODZELESKI. Well, the school gets out—we will do it in the next couple of weeks, I assure you.

Mr. CUMMINGS. Because the school year is getting ready to end, and I am giving them an award, it is an award, and we all need to do this—it is called the U-Turn Award. We are giving this, because I think we need to begin to highlight the great things about our children instead of concentrating on the negative.

There are schools that are doing it right, and that is another suggestion is that we do more of that. If things are working somewhere where there are good parent relationships with schools and whatever, we need to highlight those situations instead of getting in this total war mentality, "Oh, I have got to watch out, and who is going to come in with a gun?" I am not saying that we don't need to do those kinds of things, but we also need to be moving more toward those schools that are doing it right. And, according to the chairman, when he asked you a few questions, there are apparently some schools—they may not be in the majority, but it sounds like they may very well be—who are doing it right.

Mr. MODZELESKI. There are.

Mr. CUMMINGS. And, so, hopefully, we can highlight more of them so that we can move to that, because these are still our kids; they are our children. They come from all kinds of families; they have all kinds of problems; they are dealing with things that most of us never dealt with when we were coming up, and so I want to thank you for taking me up on my invitation, and I am going to—we will followup as soon as the hearing is over.

Thank you, Mr. Chairman.

Mr. MICA. Thank the gentleman from Maryland.

I now recognize the gentleman from Massachusetts, Mr. Tierney.

Mr. TIERNEY. Thank you, Mr. Chairman.

Let me followup on that for a second, because I thought that was interesting. Does the Department of Education do anything in terms of identifying best practices when it comes to—I use the word "discipline," because that is one that I saw in your remarks, sir, but I think it is better stated here probably as "attitude?" Do you go out and find schools that have somehow put together the proper atmosphere or environment and get those as best practices; find out how they do it and make that information available to other schools?

Mr. MODZELESKI. Yes, we do. Let me just say, if I can take 30 seconds out and comment on Congressman Cummings, because I do believe that an overwhelming majority—

Mr. TIERNEY. You are going to take my time to answer his question?

Mr. MODZELESKI. Well, because this gets to your point, too, Congressman—

Mr. TIERNEY. I am only kidding; go ahead.

Mr. MODZELESKI [continuing]. Because an overwhelming majority of students in this country are good students. An overwhelming majority of students in this country don't engage in crime. The overwhelming majority of students in this country really are trying to do a good job, and I think that we need to do a better job identifying those students, identifying those schools, identifying those practices, and publishing and rewarding those kids.

Now, what do we do? We do a couple of things. One is, we have a Drug Free Schools Recognition Program. This is a program where we go out on a national basis and try to identify schools that have exemplary drug prevention and violence prevention programs. We just finished a competition about 3 weeks ago. Those programs were site visited by fellow principals and teachers throughout the country, and the results of that should be available within approximately a month.

Now, I will tell you that while we are moving in that direction and while there are schools that are promising—they have great drug prevention and great violence prevention programs—we are not doing enough; we are not getting enough. We need to do a better job in identifying the schools that are doing a good job, because we have over 15,000 school districts, over 100,000 schools in this country, and we are scratching the surface on which schools are doing a good job.

No. 2 is that we also have a panel called the expert panel, which is not looking at schools, which is looking at programs—drug prevention and violence prevention programs—setting up objective criteria by which to measure those programs, and identifying which programs meet that criteria from a research-based perspective. So, we will have, by the end of this summer, a list of both what we call promising as well as exemplary programs.

Mr. TIERNEY. And you will disseminate that?

Mr. MODZELESKI. We will disseminate it widely. I mean, again, this gets back to the whole issue of accountability of the program, the whole issue of improving the quality of the program. We have to, we have a responsibility of identifying good schools, of identifying best practices, and getting that information out to as many schools as possible.

Mr. TIERNEY. In your remarks, at least your written remarks, it was indicated that even a bigger problem than crime or violence, really, is discipline in schools. Is there a Federal role at all that touches on that or where do you think that appropriately gets addressed and how?

Mr. MODZELESKI. It is hard to measure in an issue of magnitude which is greater, which affects the learning environment? And I think that as we look at the data, clearly, more schools have discipline problems than have crime problems. More schools have discipline problems on a regular basis. More schools have a few individuals who upset what goes on in the learning environment on a regular basis, which are not criminal incidents but disciplinary problems.

In the revised, or I should say, in the proposal, the administration's proposal for revision of the Elementary and Secondary Schools Act, in title XI, there is a school discipline issue where we talk about all schools receiving elementary and secondary schools funds shall develop strong, sound school discipline policies—and getting back to a point—it also clearly states that these discipline policies shall be enforced equitably, because very often they are not enforced equitably.

So, it is not only the establishment of sound discipline policies, because I harken to say that about 100 percent of schools in this country today have discipline policies, but we need to do a better job examining those policies; getting students and teachers involved in the development of those policies, and equitably enforcing those policies.

Mr. TIERNEY. Well, in your Safe Schools, Healthy Student Initiative, you note that the grants are going to be—the applications are going to be taken as early as June 1st. Has that been broadly noticed to the world here?

Mr. MODZELESKI. It has been broadly noticed to the world. We are just completing a series of six audio conferences whereby we are answering questions from the field. The announcement of that particular program is on our website; it is on Dr. Chavez' website; it is on the Department of Justice website. You have mailings that are going out from the Department of Education, the Department of Health and Human Services as well as the Department of Justice. There has been an overwhelming response to this particular program.

Mr. TIERNEY. What was the basis of the six criteria that you said in order to have a plan qualify as comprehensive? Was that research? Was that—

Mr. MODZELESKI. It was really a careful examination of a lot of research which exists. I am sure we could probably expand that a little bit more, but one of the issues that we run into is that this is the first time where we have combined a substantial amount of funding into one partner trying to manage this program with one application. And what we are saying to school districts, both suburban, rural, and Indian tribes, is that we want you to submit one application—one application for mental health services, for early childhood development, for school security programs, for a series of programs and activities. And, really, what we are providing is a continuum of services along a broad range starting with early childhood development and ending up with a referral to mental health services if that is found to be necessary.

Mr. TIERNEY. It is obviously going to mean that some of these schools are going to have to bring on new personnel, particularly in the counseling area. How do schools deal with the added expense that is going to entail?

Mr. MODZELESKI. Dr. Chavez mentioned—and I don't want to get into her venue—that there was $40 million of SAMHSA dollars which are going for mental health services for schools; $25 million of that is in this overall pot. So, there will be money in this overall pot for mental health services.

Mr. TIERNEY. And let me just finish, because I know the red light is on—I was struck by the figures that 82, almost 83 percent of the victims are males, and 95.6 percent of the offenders in violent situations are males. What are we doing to focus in on that aspect of this problem?

Mr. MODZELESKI. This gets back to a whole lot of issues. It gets back to the issue of really looking at this from a very broad-based perspective. The figures and the data you have there are from the 1992–1993, 1993–1994 school years. The data from the last 2 school years are still coming in. We don't know whether it is going to be different or not. I don't think the data for school crime are much different from the data from overall crime. We do know that young males are the most frequent purveyors of crime and violence, and what we are really trying to do is get schools to have a better understanding, through assessment processes, as to who some of these individuals are and then to provide them with appropriate services.

Some of this gets back to the mental health side where Dr. Chavez' organization is involved. Some of this you will hear in the, I think, the last panel where Dr. Dwyer talks about the early warning signs; identifying those students who may be at risk of problems and, without doing any harm to those individuals, making referrals to appropriate services in the community.

Mr. TIERNEY. Thank you very much.

Mr. MICA. I thank the gentleman.

Now, I would like to recognize the gentleman from Arkansas, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Chairman, and, hopefully, I won't take the entire allotted time, but I did have one area of inquiry.

Dr. Chavez, I was reading the introductory information that has been provided. It is my understanding that your agency, the Substance Abuse and Mental Health Services Administration, has a staff of approximately 600? Is that correct?

Dr. CHAVEZ. That is correct.

Mr. HUTCHINSON. And that your agency was created in 1992?

Dr. CHAVEZ. That is correct.

Mr. HUTCHINSON. And, so, obviously, you had zero employees in 1992, and there are 600 now, and the responsibility is to administer a Federal Block Grant Program to the States?

Dr. CHAVEZ. That is one of our responsibilities.

Mr. HUTCHINSON. And a Federal block grant—I mean, the whole idea of a block grant is that it is passed along to the State without extraordinary Federal strings? Is that correct?

Dr. CHAVEZ. Well, it is a little bit more than that, but—can I correct something? Although we were created as a separate agency in 1992, SAMHSA's activities had been part of ADAMHA, which provided alcohol, drug, and mental health services. In 1992, the Congress decided to take NIDA, NIAAA, NIMH and put it under NIH and take the, at that time, the prevention, the treatment, and the mental health services programs that were within ADAMHA and create a separate agency's AMHSA. The primary focus was on the service part and looking at the development and the implementation of the research.

Mr. HUTCHINSON. How has the staff level grown in recent years?

Dr. CHAVEZ. Actually, that is a very good question, because it has not grown. In fact, right now, we are having tremendous problems in terms of trying to administer many of the programs because of a reduction in our work force.

Mr. HUTCHINSON. Well, in 1992, obviously, you didn't exist prior to 1992. You were created in 1992, and you are saying that a number of different programs were combined? Is that correct?

Dr. CHAVEZ. That is correct. A number of programs were combined, and in the combination of those programs that created SAMHSA, many of those employees worked for NIMH; many of them worked for NIDA and NIAAA.

Mr. HUTCHINSON. How many did you start with in 1992, with a combination of those programs versus the 600 today?

Dr. CHAVEZ. I believe it was about 700 in 1992.

Mr. HUTCHINSON. Could you get me the information on that?

Dr. CHAVEZ. I certainly can.

[The information referred to follows:]

Insert Line 1810, page 78

The information on FTEs is as fellows:

	FTEs
October 1992 (FY 1993), SAMHSA staff when Agency was created	684
Current on board staff	555
FTE reduction	-129

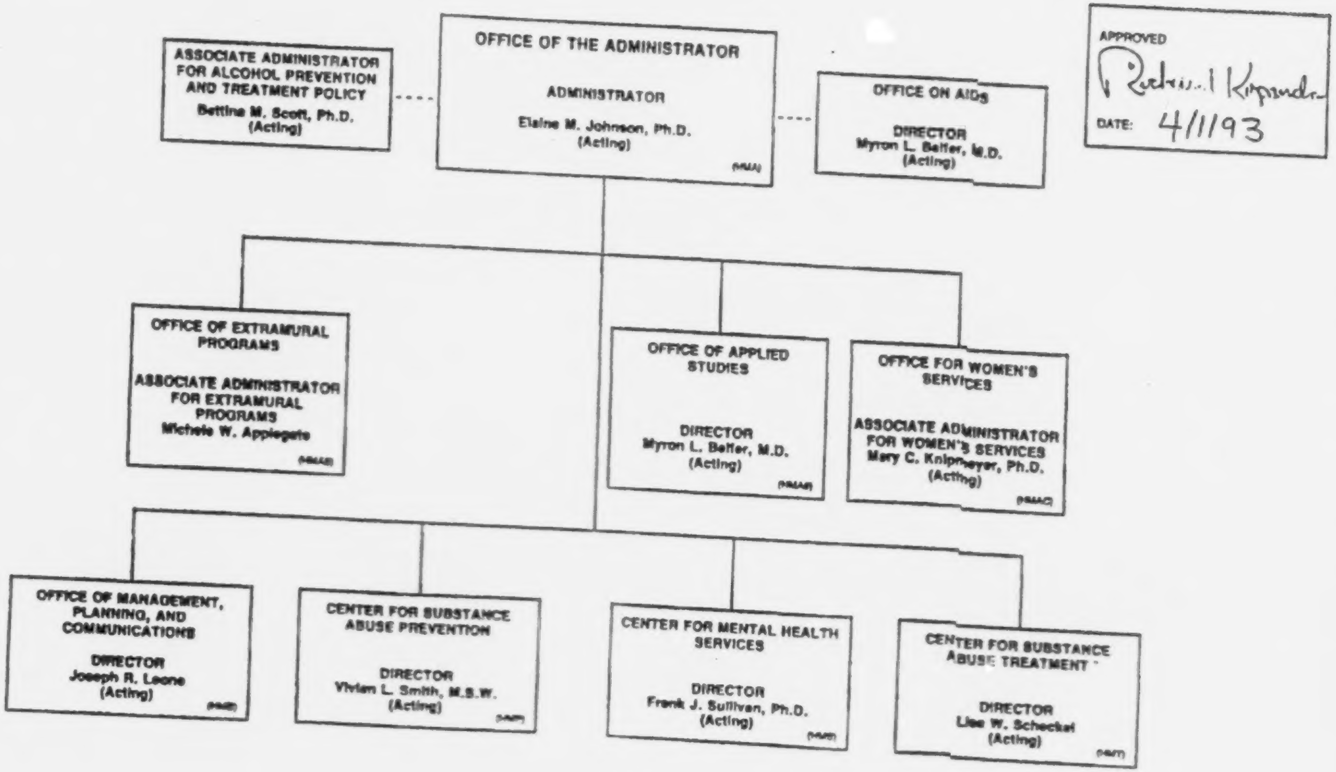
Mr. HUTCHINSON. I know I am catching you cold on that, perhaps, and I would like to have an organizational chart for your present circumstance and then compare that to 1992. I mean, you ought to be applauded if you combined front office functions and reduced the number of employees, but it is still—I mean, I just don't understand, quite frankly. Six hundred employees sounds like an extraordinary number to administer a Block Grant Program, and I understand you have other responsibilities, but I either need to be educated or we need to look at it very closely. It seems like there is a lot of the money that should be going to the States to support these programs that is consumed at the staff level, the administrative level.

Dr. CHAVEZ. Yes, I would be very happy to provide that information for you, and I would like to also mention that in 1996—in looking at SAMHSA and some of the programs there, we reduced from 22 offices in the administrative area to 7 offices, and that was working very closely with Chairman Porter. So, we do have all that information; we will be very happy to supply you with that, because, as I indicated earlier, while 600 may seem a lot if you are just looking at a block grant, there are many other responsibilities that are a part of that. So, I would be very happy to submit that.

[The information referred to follows:]

DEPARTMENT OF HEALTH AND HUMAN SERVICES
PUBLIC HEALTH SERVICE

Substance Abuse and Mental Health Services Administration



APPROVED

DATE: 4/1/93

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ADMINISTRATOR
Elaine M. Johnson, Ph.D.
(Acting)
(HMA)

ASSOCIATE ADMINISTRATOR FOR ALCOHOL PREVENTION AND TREATMENT POLICY
Bettina M. Scott, Ph.D.
(Acting)

OFFICE ON AIDS
DIRECTOR
Myron L. Belfer, M.D.
(Acting)

OFFICE OF EXTRAMURAL PROGRAMS
ASSOCIATE ADMINISTRATOR FOR EXTRAMURAL PROGRAMS
Michele W. Applegate

OFFICE OF APPLIED STUDIES
DIRECTOR
Myron L. Belfer, M.D.
(Acting)

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ASSOCIATE ADMINISTRATOR FOR WOMEN'S SERVICES
Mary C. Knipmeyer, Ph.D.
(Acting)
(HMAC)

OFFICE OF MANAGEMENT, PLANNING, AND COMMUNICATIONS
DIRECTOR
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(Acting)

CENTER FOR SUBSTANCE ABUSE PREVENTION
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Vivian L. Smith, M.S.W.
(Acting)

CENTER FOR MENTAL HEALTH SERVICES
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(Acting)

CENTER FOR SUBSTANCE ABUSE TREATMENT
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Lisa W. Scheckel
(Acting)
(HMT)

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

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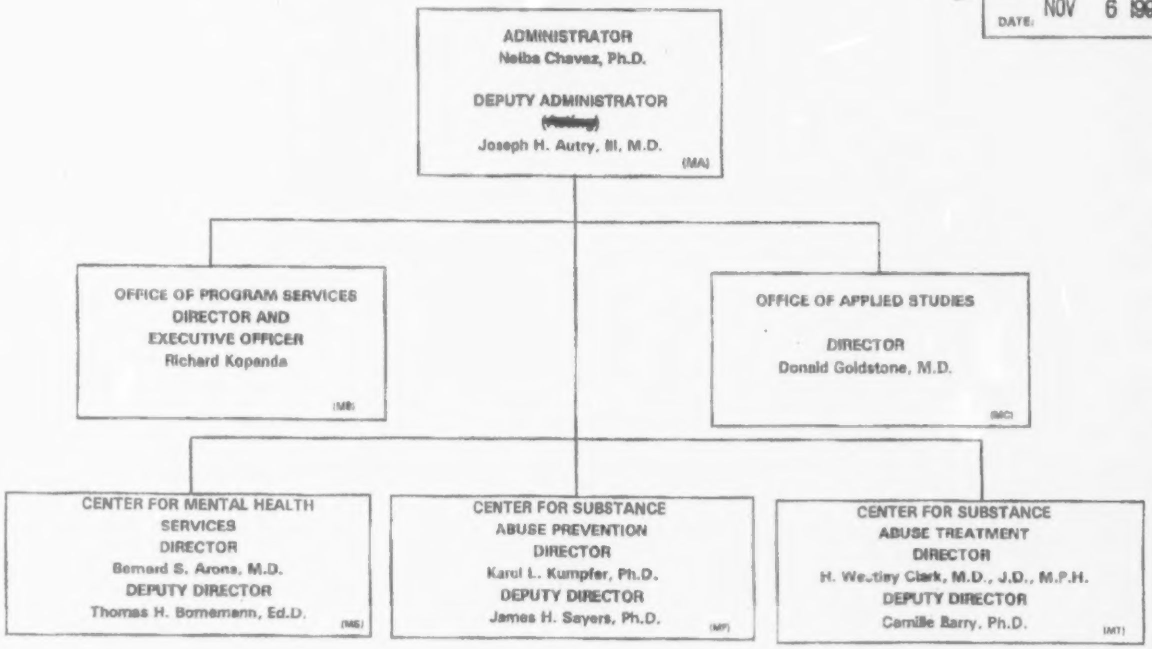
ADMINISTRATOR
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DEPUTY ADMINISTRATOR
([redacted])
Joseph H. Autry, III, M.D.
(MA)
OFFICE OF PROGRAM SERVICES
DIRECTOR AND
EXECUTIVE OFFICER
Richard Kopanda
(MB)
OFFICE OF APPLIED STUDIES
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Donald Goldstone, M.D.
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(MS)
CENTER FOR SUBSTANCE ABUSE PREVENTION
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(MP)
CENTER FOR SUBSTANCE ABUSE TREATMENT
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H. Westley Clark, M.D., J.D., M.P.H.
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(MT)

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Insert Line 1838, page 80 (Information Requested by Congressman Hutchinson)

In 1996, a significant restructuring effort occurred within SAMHSA in that the majority of administrative functions were consolidated within a new Office of Program Services (OPS), responsible for servicing all SAMHSA components. Duplication of effort was eliminated as a result. Staff dedicated to contracts management, grants management, administrative services, and certain aspects of financial management were combined with those administrative services which had already been centralized in 1993. Economies achieved in this way permitted substantial FTE savings to be achieved; a 25-30 percent staff reduction accrued from the resulting economies of scale, and the number of administrative offices was reduced from 20 to only 7. The FTE savings achieved were intended to be transferred to program areas in all three Centers as soon as the reorganization was effected. However, subsequent Program Management budget reductions have prevented these FTEs from being filled with program staff hires.

Another consolidation was the elimination of the Office of Extramural Programs in the Office of the Administrator, and the transfer of its functions and responsibilities to the Office of Policy and Program Coordination. This improved coordination in program planning and implementation of priorities. Operational efficiencies resulted as the number of small offices reporting directly to the Administrator were reduced.

Mr. HUTCHINSON. I will look forward to that information.

Dr. CHAVEZ. Thank you.

With that, Mr. Chairman, I yield back.

Mr. MICA. Thank the gentleman.

Now, I would like to recognize the gentleman from Georgia, Mr. Barr.

Mr. BARR. Thank you, Mr. Chairman.

Mr. Modzeleski, in your written remarks here—and I think I have been informed also in your oral comments—you talk about the role of FEMA, the Federal Emergency Management Agency. What do they have to do with this?

Mr. MODZELESKI. We have been working with the Federal Emergency Management Association on trying to develop a response, a FEMA-like response to crises such as occurred in Springfield, Paducah, Pearl. These are crises which are not Presidentially declared disasters but nevertheless affect the school system, and what we are trying to do is develop a response to enable those school systems to recover from rather tragic—

Mr. BARR. And you think you can do this by studying how the Government responds to tornados? I mean, isn't dealing with the causes of violence in our schools, our families, our communities, and our businesses somewhat different from dealing with natural disasters?

Mr. MODZELESKI. Well, the answer—yes, we do think we can resolve this by looking at how a Government agency responds to tornados.

Mr. BARR. Well, then maybe that is why we are not meeting tremendous success. Maybe you ought to look at this as a people problem, not as a natural disaster problem.

Mr. MODZELESKI. Let me explain, the FEMA-like response is not related to the prevention aspect. This is a very small part.

Mr. BARR. I know.

Mr. MODZELESKI. This is the after effects.

Mr. BARR. FEMA is not a responsive aid. They are not a preventive agency; you are.

Mr. MODZELESKI. Each of the districts—

Mr. BARR. What does FEMA have to do with trying to resolve problems of violence in our schools?

Mr. MODZELESKI. We are basically looking at how FEMA responds to crises, how FEMA responds to disasters. Each one of the disasters, be it a tornado or natural disaster or the crises such as Springfield result in sufficient impact on the student population.

Jamon Kent who is the superintendent of schools in Springfield, OR has said that his schools probably will not be restored to teaching and learning as they were prior to the incident a year ago without adequate resources and services in the area of mental health services, mental health crisis counseling for both students and teachers. And SERVE, the program which is in the—

Mr. BARR. Are we witnessing school violence because there aren't enough counselors?

Mr. MODZELESKI. We may.

Mr. BARR. Really?

Mr. MODZELESKI. We may.

Mr. BARR. Maybe that is also why we are not seeing tremendous success. Do you think that is—because we don't have enough grief counselors, that is the reason why we are seeing violence in schools?

Mr. MODZELESKI. Well, there is a need for grief counselors and mental health crisis counselors. I think that there has been sufficient testimony between various House committees and Senate committees where there are people, experts—much more expert than I—that say there definitely needs to be a better interconnection and a better relationship between schools and mental health crisis counseling, and we do need more counselors in schools.

Mr. BARR. Well, I suppose we can have a lot more counselors, but I don't think that is going to really get at the root problems, and, again, my impression has always been that FEMA is a reactive agency. After there has been a natural disaster, something over which mankind has no control, they go in and provide assistance, organizational skills to respond to an emergency that has already occurred—a natural disaster. I think, perhaps, if you all started looking at the problems of violence in our schools, not as a natural disaster that is beyond our control and look at yourself as a reactive agency, which is the model that FEMA provides and necessarily has to provide, maybe we would see more success. How many school murders committed with weapons took place in 1955?

Mr. MODZELESKI. We don't have that information.

Mr. BARR. How about 1960?

Mr. MODZELESKI. That information is not available. If I could just comment on the collection of data—

Mr. BARR. I mean, it is nice to go back a couple of years and say, "Gee, there are more or less of this category of violence than there were a few years ago," but I suspect that if one looks at a longer term trend, that there might be some things that are a little bit more revealing than just looking and trying to make the current situation look favorable by looking at 1991 or 1992 or whatnot, and I don't think that the solutions are going to be terribly simplistic.

Dr. Chavez, do you have any comments on this? Do you see particular enlightenment being provided by your work through FEMA?

Dr. CHAVEZ. Mr. Barr, that was a good very question in terms of the issues that you have raised. You are talking about the prevention as being a first line of defense, and we agree that that is very critical. However, when there are traumatic events—for example, a traumatic event might be a tornado, hurricane, et cetera, and the impact that has not only on children but also in terms of families and communities, that becomes very important in terms of the kinds of intervention that one must be involved in when there is a traumatic event.

For example, our Center for Mental Health Services was very much involved when Hurrican Andrew struck Miami. We have been very much involved in many of these other FEMA-associated incidents in that we have brought in the mental health component after the fact for the trauma that exists. In addition to that, we have been able to do some very effective programming in terms of prevention.

Mr. BARR. Mr. Chairman, I recommend that your next panel include somebody from FEMA. They might be able to help us solve the problem of school violence. I mean, this is amazing that we look to FEMA as the model for solving the problems of school violence.

Dr. CHAVEZ. Excuse me, Mr. Chairman, may I please respond to that if there is time?

Mr. BARR. I yield back.

Mr. MICA. The gentleman yields back.

I think we covered all the panelists. I would like to—we have gone on for almost 2 hours with this panel or more, and I do thank you. I think we have raised as many questions as we may have had answered.

We will, as I said, keep the record open, without objection, for 2 weeks, and we will be submitting additional questions on some of the programs and activities and other concerns from the members of the panel.

So, with that, I would like to excuse both of our first two witnesses in this first panel and call our second panel which are State and local officials.

We have the Honorable Charlie Condon, attorney general of the State of South Carolina, the Honorable Gary L. Walker, vice president of the National District Attorneys Association, and Chief Reuben Greenberg, the police chief of Charleston, SC.

As I mentioned, this is an investigations and oversight panel of Congress. We do swear in our witnesses, which I will do in a moment. Also, if you have lengthy statements or additional information you would like to have made part of the record, we will do that. We would like you to try to keep your comments, if you could, to about 5 minutes. We are running a bit behind, but we do want everyone to have an adequate opportunity to participate.

So, with that, welcome, our three panelists. If you will remain standing, and I will swear you in.

[Witnesses sworn.]

Mr. MICA. Thank you, and the witnesses answered in the affirmative. Welcome again, and I am pleased to recognize, first, the attorney general, the Honorable Charlie Condon. Welcome, and you are recognized.

STATEMENTS OF CHARLIE CONDON, ATTORNEY GENERAL, STATE OF SOUTH CAROLINA; GARY L. WALKER, VICE PRESIDENT, NATIONAL DISTRICT ATTORNEYS ASSOCIATION; AND REUBEN GREENBERG, POLICE CHIEF, CHARLESTON, SC

Mr. CONDON. Thank you, Mr. Chairman. It is certainly a pleasure to be here.

I want to say, first, that I was, like I am sure you were, dismayed to hear about the shootings over in Georgia, but I was equally dismayed, really, to see the proposals that the Clinton administration made yesterday relative to school crime. They are proposing mandates and directives that I think are a recipe for disaster; not that they are not good ideas. In fact, in South Carolina, we are in the process or have already put into practice these ideas, but to have a single cookie cutter approach from the Federal Government, I think, will not work.

I hope I don't get hissed out of this room, but as I am sure some do recognize—I hope they recognize—under our system of Government, the general government is the State government, and the

Federal Government is supposed to be the Government of limited power. We are a Nation of 50 general governments and 1 limited Government, not the other way around. Each individual State possesses the power to protect the safety of its citizens, whether that means the streets of the inner city, the neighborhoods of the suburbs or the classroom or the halls of our schools.

Now, in this time when school violence is uppermost in our minds, what we need from the Federal Government are resources and support, not mandates and directives. In short, Washington, DC, can no better serve as the principal of Irmo High School in Lexington County, SC than it can walk the beat of a Charleston Street. The problem of school crime, which affects South Carolina differently from Florida and California, cannot be micromanaged from Washington, DC. Indeed, within the Palmetto State, South Carolina, different communities require different approaches. The same cookie cutter approach by the Federal Government to the school violence problem is most certainly a recipe for disaster.

Now what does this mean specifically with respect to school violence? I must say, I was astounded to hear some of the figures that were bandied about by the first panel in terms of what is being spent today. I really do want to look into how those funds are being spent in South Carolina, particularly from what has been appropriated, and then from the standpoint as to what gets to the field. I am assuming that in our State—it is a middle range population State—we must have millions and millions of dollars annually coming from the Federal Government for school safety. And I really want to see how those are being spent.

But I do think you can help us with this: if you truly have the block grant made—and that is, as I understand what block grants are supposed to be, they are basically funds sent to the States to be spent without strings attached—that will work very, very well. We need funds to put school resource officers in every high school and middle school in South Carolina. Most importantly, we need Federal dollars to help us make sure that we have prosecutors both at the State and local level to prosecute school crime.

In my view, what will work best with respect to the problem of school crime is the one approach that has always succeeded when we follow it, and it is this: it is tough, hard-nosed prosecutions of those who threaten the safety of our schools. While, certainly, resources, such as guidance counselors and psychologists, play an important role in assisting our students, the bottom line is that our schools are not different from society in general. If anything, schools, like our homes and places of worship, should be the safest places in our society. No serious offense should go unpunished.

Now, there are and will always be certain students bound and determined to commit serious crimes which prevent the others from learning. I do think it is much, much worse today for a variety of other factors I want to allude to. For these offenders, the three P's instead of the three R's are appropriate—prosecution, punishment, and, when necessary, prison.

We are putting this no-nonsense approach to work in South Carolina right now. As the chief prosecutor of my State, I have banned plea bargaining for all serious school crimes. Every school crime is now required to be reported to the attorney general's office. My office has a school crime prosecutor with strict instructions to followup on school crimes to see that our policy of zero tolerance is followed.

We have also implemented a program, which I have stolen from my good friend, Chief Greenberg, to make sure that we get these guns out of the schools in South Carolina with a toll-free tip line—1–877-SEE A GUN. A simple concept: confidential, toll-free, with a $100 reward for guns and explosive devices. We have in place a youth mentoring program. We have joined with the Governor of South Carolina, Governor Hodges, and the superintendent of education to co-chair a State summit on school violence.

I am also a big believer in prevention, and we are implementing a comprehensive approach to prevention strategies that are attached to this testimony.

But, in short—as I am pleased to see that you have already recognized the problem to some extent—the problem of school crime can never be solved by Washington, DC. Washington can help provide the resources and then really just get out of the way and let us do our jobs. In the end, no government—neither Federal, State, nor local—can alone diffuse the ticking time bomb with school violence.

As always, the willingness of every person to be responsible for the consequences of his or her actions must serve as the foundation. Each parent—I want to emphasize parent—each mother and father, each student, each family, indeed, each citizen must take responsibility to shatter the culture of violence which today threatens our schools.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Condon follows:]

Testimony of Charlie Condon, Attorney General of South Carolina, before the House of Representatives Subcommittee on Criminal Justice, Drug Policy, and Human Resources in Washington, D. C., on May 20, 1999, on School Violence.

It is indeed a pleasure to be with you today and have the opportunity to present my views on the very real concerns we have about school crime. I welcome the chance to talk common sense and urge us all to get back to the basics. We need to remember and stress the things that have worked well in this country since it was founded.

Most importantly in attacking school crime and violence, we must emphasize that the federal government is one of very limited powers, and that it is the states which form the general governments in this country. We are a nation of fifty general governments and one limited government - not the other way around. Each individual state possesses the power to protect the safety of its citizens - whether that means the streets of the inner city, the neighborhoods of the suburbs, or the classrooms and halls of our schools.

In this time when school violence is uppermost in our minds, what we need from the federal government are resources and support, **not mandates and directives**. In short, Washington, D.C., can no better serve as the principal of Irmo High School in Lexington County, South Carolina, than it can walk the beat of a Charleston street. The problem of school crime, which affects South Carolina differently from Florida and California, cannot be micro managed from Washington, D. C. Indeed within South Carolina different communities require different approaches. The same cookie cutter approach by the federal government to the school violence problem is most certainly a recipe for failure.

What does that mean specifically with respect to school violence? I am here today to request your very serious consideration of federal block grants for attacking the problem of school violence. I am here to ask that Congress provide the states with block grant funding to enable us to put School Resource Officers in every high school and middle school in South Carolina. Most importantly, we need federal dollars to go to the states for school crime prosecutors at the state and local level.

In my view, what will work best with respect to the problem of school crime is the one approach that has always succeeded - tough, hard-nosed prosecutions of those who threaten the safety of our schools. While certainly resources such as guidance counselors and psychologists play an important role in assisting our students, the bottom line is that schools are not different from society in general. If anything, schools like our homes and places of worship should be the safest places in our society. No serious offense in a school should go unpunished. There are and will always be certain students bound and determined to commit serious crimes which prevent the others from learning. For these offenders, the three Ps - PROSECUTION, PUNISHMENT, AND PRISON - rather than the three Rs are the best deterrent to stopping school violence.

We are putting this no nonsense approach to work in South Carolina right now. Already, as chief prosecutor I have banned all plea bargaining for serious school crimes. Every school crime is now required to be reported to the Attorney General's Office. My office has a school crime prosecutor with strict instructions to follow up on school crimes to see that our policy of zero tolerance is followed. We have also established a toll free tip line 1-877-SEE A GUN which enables students to confidentially report guns and explosive devices on school grounds in exchange for a $100 reward. At the same time, however, I also have at work a Youth Mentoring Program and I have joined with Governor Hodges and Superintendent of Education Tennenbaum to co-chair a state summit on school violence. We have also implemented or are in the process of implementing other innovative, comprehensive approaches to school crime including prevention strategies that are attached to this testimony.

In short, the problem of school crime can never be solved by Washington, D. C. But Washington can provide us the resources and then get out of way and let us do our jobs.

But in the end, no government - neither federal, state, nor local - can alone defuse the ticking time bomb of school crime. As always, the willingness of every person to be responsible for the consequences of his or her actions must serve as the foundation. Each parent, each mother and father, each student, each family, indeed, each citizen must take responsibility to shatter the culture of violence which today threatens our schools.

Mr. MICA. Thank you for your testimony.

I would like to recognize the Honorable Gary L. Walker, vice president of the National District Attorneys Association.

Mr. WALKER. Good afternoon. I would like to introduce myself. I am the elected prosecutor in Marquette County, MI. I want to thank you on behalf of the National District Attorneys Association.

Mr. MICA. Excuse me, Mr. Walker, could you pull that mic up as close as possible?

Mr. WALKER. OK. I want to thank you on behalf of the National District Attorney's Association for the opportunity to give our perspective on youth violence and crime in this country. I would also, Mr. Chairman, like to enter into the record some more lengthy written remarks.

Mr. MICA. Without objection, so ordered.

Mr. WALKER. And I also have for the panel some copies of the National District Attorneys policy positions on youth crime and violence.

Mr. MICA. That also will be included, without objection.

Mr. WALKER. I have served the people in Marquette County as their prosecutor for the last 25 years. I am currently a vice president of NDAA, and I co-Chair the juvenile justice committee for that association. The views I express today represent the views of that association and of local prosecutors across the country.

So that you can place my comments in perspective, let me give you a brief description of my jurisdiction. Marquette County is located in Michigan's upper peninsula on the shores of Lake Superior. It is a rural area. We have a population, according to the last census, of approximately 70,000 people. The county encompasses 1,800 square miles, so it is a little larger than the State of Rhode Island. We do not experience a crime rate which is comparable with large urban areas, but juvenile crime is still a major concern.

Last year, four middle school students brought a hand gun to school with the stated purpose of stealing a teacher's car and driving to Canada and committing further armed robberies along the way. Fortunately, the teacher, when confronted by the student with a gun who demanded his car keys, disarmed him, and no one was injured.

Last year, we had 12 students who were expelled for bringing weapons to school campuses. Just since the tragedy in Littleton, CO, we have experienced instances of threats made by school students which specifically refer to that tragedy and promise similar violence.

I can also report that my discussions with prosecutors across the country indicate that copy cat behavior is common, if not epidemic. Last weekend, four students, ages 12, 13, and 14, were arrested in Port Huron, a community approximately 60 miles from Detroit. The arrest thwarted a plan to bring weapons to a school assembly and then open fire with the avowed purpose of creating more harm, more death than Littleton, CO. We are all aware, of course, of the tragedy in Atlanta last night. School violence is not simply, however, the recent tragedies that we have seen; it has been going on—as I think several of the panel members have indicated—for some time.

Immediately after the incident in Columbine, our community, law enforcement, school officials, and representatives of our local media met to examine the situation. Unfortunately, our conclusion is that "It can't happen here," is not a realistic appraisal. We are attempting to put together a program designed to involve schoolchildren in monitoring their own behavior and that of their peers. We hope to provide the children with a sense of ownership and control in their school environment and enlist their aid in the prevention of anti-social behavior in their schools.

It is inevitable that society look for answers in the wake of these tragedies. There is enough blame to go around—guns, music, video games, movies, parents, schools, the Internet, and according to one article in the Wall Street Journal, the courts are responsible. It strikes me that there has been an obvious omission. The perpetrators of these horrible crimes are responsible. Society should, and indeed must, express a sense of moral outrage at the individuals who committed these acts. While it is necessary to search for the causes, we must not excuse the behavior.

"I am depraved on account of I am deprived," goes that song from West Side Story. If we expect our children to become morally grounded, it is necessary that we demand accountability for immoral and anti-social behavior. While we search for answers, we must condemn in the strongest ways possible the behavior, and demand individual accountability and responsibility. It is important that we not overlook the fact that these types of violent crimes warrant strong and swift response by our criminal justice system.

The NDAA recognizes and supports the long-standing tradition in our country of the States adopting and managing their own criminal laws and juvenile justice systems. We concur entirely with the attorney general from South Carolina. Perhaps the most important thing that the Federal Government can do in addressing juvenile violent crime is to provide adequate funding for programs aimed at crime prevention.

The NDAA believes very strongly that funding proven crime prevention initiatives is necessary. Programs proven to keep kids from becoming criminals in the first place are some of the most powerful weapons in law enforcement's arsenal against crime. Such programs include those aimed at providing early child care, preventing child abuse and neglect, and ensuring that the quality of child care in afterschool activities is available for America's youth.

The importance of those programs and their role in reducing criminal behavior is supported by scientific research. We must do everything we can in society to promote the positive assets of our youth. There are far more good kids in this country who are positive role models in their communities than there are delinquents. We must mobilize these youth to promote positive assets and use these children as resources to help us identify problem kids in the schools and communities.

There are no simple solutions to this problem. Traditional law enforcement efforts must continue with new tools to deal with today's violent juvenile criminals and to effectively deal with the nonviolent offenders before it is too late. Violent juvenile criminals must be prosecuted and dealt with severely by our criminal justice system. We must send a clear message that violence will not be tolerated. However, the long-term solution requires that we step back and look at the underlying causes of juvenile crime, and mobilize everyone in this country to get involved and work together to address these issues.

Thank you for permitting me to appear and to express the views of the National District Attorneys Association.

[The prepared statement of Mr. Walker follows:]

TESTIMONY

OF

HONORABLE GARY L. WALKER
PROSECUTING ATTORNEY
MARQUETTE COUNTY, MICHIGAN

AND

VICE PRESIDENT
NATIONAL DISTRICT ATTORNEYS ASSOCIATION

BEFORE THE
HOUSE SUBCOMMITTEE ON
CRIMINAL JUSTICE, DRUG POLICY
AND HUMAN RESOURCES

MAY 20, 1999

JAMES D. POLLEY
DIRECTOR, GOVERNMENT AFFAIRS
NATIONAL DISTRICT ATTORNEYS ASSOCIATION
(703)519-1651 email: james.polley@ndaa-apri.org

TESTIMONY BEFORE
HOUSE COMMITTEE FOR GOVERNMENT REFORM

Sub-Committee on Criminal Justice, Drug Policy and Human Resources

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My name is Gary Walker and I am the elected prosecutor in Marquette County, Michigan. I want to thank you on behalf of the National District Attorneys Association, which represents the local prosecutors of this nation, for the opportunity to give you our perspective on youth violence and crime in this country and our position concerning how best to deal with this important issue.

I have served the people of my county as their prosecutor for the last 25 years. I am currently a vice president of the National District Attorneys Association (NDAA) and I co-chair the Juvenile Justice Advisory Committee of NDAA. The views that I express today represent the views of that Association and the beliefs of local prosecutors across this country.

So that you can place my comments in perspective let me give a brief description of my jurisdiction. Marquette County is located in Michigan's Upper Peninsula on the shore of Lake Superior. It is a rural area with a population of 70,877 recorded in the 1990 census. The county encompasses 1,873 square miles, larger than the state of Rhode Island. While we do not experience a crime rate comparable with large urban centers, juvenile crime is still of major concern.

Last year four middle school students brought a handgun to school with the stated purpose of stealing a teacher's car and driving to Canada, committing further armed robberies along the way. Fortunately the teacher, when confronted by the student who demanded his car keys at gunpoint, disarmed the student with no one being injured. In the last year at least 12 students have been expelled for bringing weapons to the school campus. Just since the tragedy in Littleton, Colorado, we have experienced four instances of threats made by school students, which specifically referred to the tragedy and promised similar violence.

Immediately after the incident at Columbine High School our community law enforcement, school officials and representatives of local media began meeting to examine our own situation. Unfortunately our conclusions so far are that "it can't happen here" is not a realistic appraisal.

I can also report that my discussions with local prosecutors across the country indicate that threats of "copy cat" behavior are common if not epidemic. Last weekend four students ages 12, 13 and 14 were arrested in Port Huron, a suburban community apparently 60 miles from Detroit. The arrests apparently thwarted a plan to bring weapons to a school assembly, open fire and then detonate a bomb. A bomb was found and defused outside the 560 student school later Thursday night.

Dealing with juvenile crime is the most challenging area facing local prosecutors in America today. During the 1980's and continuing until 1995, there was an unparalleled increase in the number of criminal offenses committed by juveniles in this country.

Statistics on juvenile violence showed that arrests of juvenile offenders for murder skyrocketed between 1985 and 1993, rising approximately 150%.[1] Juvenile arrests for aggravated assault also rose dramatically by over 120% from 1983 to 1994.[2] Total arrests of juveniles for serious violent offenses increased by 67% between 1985 and 1994.[3] Arrests of juveniles for weapons offenses rose by 93% during this same timeframe.[4] In many areas of our country, substantial growth has occurred in nonviolent juvenile crime as well.[5] The growth rates in juvenile crime between 1985 and 1994[6] far outpaced the rate for adults, which began to decline in most categories beginning in 1992.[7]

These alarming statistics cover youth from all backgrounds. Rising rates of juvenile crime have occurred not only in the urban areas of our country, but also in suburban and rural areas. Perhaps the most significant example of the encroachment of juvenile violence into rural and suburban America has been the rash of tragic school shootings that have occurred in recent years in Littleton, Colorado; Jonesboro, Arkansas; Stamps, Arkansas; West Paducah, Kentucky; Pearl, Mississippi; Bethel, Alaska; Moses Lake, Washington; Blackville, South Carolina; and Redlands, California. These school shootings which occurred from 1995 to 1999, left thirty-five children dead and many others seriously wounded. The suspects in these cases were between the ages of eleven and eighteen.

Fortunately, our nationwide rates of violent juvenile crime fell slightly in 1995 for the first time in almost a decade.[8] Decreases in overall levels of juvenile crime in the United States continued in 1996 and 1997.[9] This decline is obviously good news and hopefully predictive for the future. The actual decrease in juvenile crime these past three years, however, may not be significant enough to offset some of the ominous predictions for the decades ahead, given the large increase we will see in the number of juveniles in our country over the next twenty years. We cannot take the chance that these predictions are wrong butt must find ways to identify and address juvenile violence now.

Estimates in a 1998 Bureau of the Census report reflect a growth in juvenile population of approximately 22% between 1990 and 2010.[10] Given these population predictions, the overall number of juvenile crimes committed may be dramatically higher in the next twenty years, unless we start large-scale, community-wide efforts to address this problem. We can ill afford to sit back and wait.

As I share my experiences and views on how best to address the problems of juvenile violence in our American schools and across our nation, I think it is important to keep in perspective that the tragedies that we have seen with the recent incidents of school violence in Littleton, Colorado and elsewhere are not representative of juvenile violence in America. However, these extreme acts of violence do represent a very alarming trend, which we cannot ignore. These types of multiple killings by children were unheard of even a decade ago. We obviously must do all we can to learn from these incidents and look for every means available to keep such tragedies from occurring again.

It is inevitable that society look for answers in the wake of these tragedies. There appears to be enough blame to go around. Guns, music, video games, movies, parents, schools, the Internet and according to one article in the Wall Street Journal, even the courts share responsibility. It strikes me that there has been an obvious omission. The perpetrators of these horrible crimes are responsible. Society should, indeed must, express a sense of moral outrage at the individuals who committed these acts. While it is necessary to search for causes, we must not excuse the behavior.

"I'm depraved on account of I'm deprived" goes the song in West Side Story. If we expect our children to become morally grounded it is necessary that we demand accountability for immoral behavior. While we search for answers we must condemn in the strongest ways possible the behavior and demand individual accountability and responsibility. It is important that we not overlook the fact that these types of violent crimes warrant a strong and swift response by our criminal justice system. Protection of the public safety demands no less.

Keeping in mind the necessity to ensure that those who commit criminal offenses are apprehended, prosecuted, and held accountable for their crimes, the National District Attorneys Association (NDAA) also believes strongly in the need for a balanced approach to juvenile justice – one which emphasizes the importance of prevention and early intervention strategies to prevent crime before it occurs. In March of 1998, the NDAA passed a resolution concerning the importance of such a balanced approach to juvenile justice, which is attached to my comments today. The Association also adopted a Resource Manual containing policy positions on juvenile crime issues in November of 1996. This document contains 36 policy positions in 14 areas of importance[11] and a copy is provided for the Subcommittee's use.

The NDAA recognizes and supports the long-standing tradition in this country of allowing individual states to adopt those laws they deem appropriate to address the problems of juvenile crime within their jurisdictions. We would be concerned if as a result of these recent school violence tragedies that there be a rush to adopt federal legislation usurping the authority of states to address their own juvenile crime problems. Responsibility for juvenile prosecutions should remain with the states. Prosecution of juveniles should be left to local prosecutors who are able to implement programs and policies needed to respond to local concerns. States should be left to develop their own rules concerning the appropriate age of prosecuting juveniles as adults and developing other laws that appropriately hold juvenile offenders accountable for crimes of violence such as those seen in the school shootings across America. The NDAA opposes extension of the role of federal government in dealing with juvenile crime and delinquency. These issues should remain in the primary jurisdiction of local law enforcement officials and local prosecutors who work on a daily basis to protect the public safety within the communities they represent.

You will find contained in the NDAA's policies concerning juvenile crime the position that prosecutors should be given discretion under the law to file cases involving serious, violent and habitual offenders. While it is appropriate for rehabilitation to be the primary goal in the juvenile system, these are times that the rehabilitation of our individual juvenile offender must surrender to the public's need for security. The prosecutor, charged with insuring the public safety in his or her community, is the appropriate person to make decisions on juvenile waiver.

The availability and use of guns by juveniles in the commission of crimes has escalated rapidly in our country. The NDAA believes that juvenile offenders who possess or use firearms should face enhanced penalties similar to such laws passed relating to adult offenders.

One of the lessons to be learned from the recent violent school tragedies is that every state must be prepared to deal with violent juvenile crimes committed by young criminals, for as we have seen, these acts of violence can erupt anywhere in America at any time. We must ensure that adequate laws exist to appropriately hold young criminals responsible for acts of extreme violence.

One method, which should be considered, is the use of blended sentencing. These laws, which have been enacted in several states, including Minnesota, Connecticut, Montana, Colorado, Missouri, Rhode Island and Texas, provide enhanced juvenile sanctions for extremely young offenders, who, initially, may not be appropriate for adult prosecution. Laws such as these ensure imposition of tougher penalties for such serious crimes. Under Minnesota's blended sentencing law, for example, the juvenile court's jurisdiction is extended for two years and the juvenile would receive a stayed adult sanction which could later be imposed should the offender either fail to fully conform to all of the sanctions handed down by the juvenile court or commit a new crime. Coupled with laws authorizing adult prosecution for offenders 14 years of age or older in reference to crimes of violence, blended sentencing laws are an important way of addressing serious criminal behavior.

It should be left to the individual states to consider and adopt these strategies as they feel would best fit with their own particular situation.

Clearly, the federal government also has an important role to play in addressing many of these issues, including the importance of developing a national uniform record keeping system for juvenile offenders. Ensuring that funding exists to address the severe shortage of juvenile detention facilities throughout our country, providing training and research capabilities to aid local prosecutors, law enforcement officers, school officials and others dealing with juvenile crime and anti-social behavior, and providing funding for the important role of prevention and early intervention efforts to keep these tragedies from occurring in the first place are all appropriate and necessary areas of federal action.

There is a need for development of a national uniform record keeping system for juvenile offenders. Such a system is essential to ensure that prosecutors and representatives from other agencies can obtain accurate and comprehensive data to assist them in carrying out their responsibilities. Such a system which would maintain fingerprints, photographs, and DNA samples from juvenile offenders is essential for law enforcement agencies to deal with serious, violent and habitual offenders in our mobile society. Legislation should also be adopted which mandates inter-agency sharing of relevant information pertaining to juvenile offenders. To appropriately address juvenile crime, police, prosecutors, courts, schools, social service agencies, and other agencies that come into contact with a juvenile should be able to share pertinent information concerning juveniles when necessary for the administration and management of their respective programs. The federal government can play an important role by ensuring that funding is made available for the development of a national uniform record keeping system for juvenile offenders. States should be encouraged to enact appropriate laws allowing for inter-agency sharing of relevant information. Federal laws that restrict such information sharing should be eliminated or revised.

The availability of juvenile detention facilities should be an area of federal concern. You need to realize that there is a significant shortage of the availability of adequate detention beds needed to protect the community, provide safety for the victim, assure the offender's appearance at trial, and provide appropriate punishment for serious, violent and habitual juvenile offenders.[12] The dramatic increase in the number of juvenile offenders within the last decade coupled with the increasing violent nature of their crimes demands that prosecutors, legislators, and other public officials bring issues such as punishment and public safety to the forefront.

If we are to provide appropriate punishment for serious, violent or habitual juvenile offenders and maximize public protection, we must address the issue of detention for juveniles, and juveniles prosecuted as adults, both before and after adjudication. We are supportive of recent regulatory changes adopted by the Office of Juvenile Justice and Delinquency Prevention which provide for greater flexibility in co-locating juvenile detention facilities with adult detention facilities, allow the use of shared staff between such facilities, clarify the perimeters of sight and sound separation restrictions, and expand the ability to hold juvenile delinquent status offenders for longer periods of time both prior to and following court appearances. The federal government can play an important role in providing funding to ensure that adequate detention space is available to house serious, violent, and habitual juvenile offenders across America.

Perhaps the most important thing that the federal government can do in addressing violent juvenile crime is to provide adequate funding to programs aimed at crime prevention. The NDAA believes in the importance of funding proven crime prevention initiatives. Programs shown to keep kids from becoming criminals in the first place are some of the most powerful weapons in law enforcement's arsenal against crime. Such programs include those aimed at providing early childhood care, preventing child abuse and neglect, and ensuring that quality child care and after school activities are available for America's youth. The importance of these programs and their role in reducing criminal behavior is aptly supported by research.

In Ypsilanti, Michigan, the High Scope Educational Research Foundation randomly admitted half of the at-risk three and four year old applicants to its quality preschool center and provided their parents with in-home coaching and parenting skills for an hour and half each week. Twenty-two years after this program ended, the children receiving these services were found to be **just one-fifth as likely** as kids denied the services to be chronic law breakers.[13] In another study in Syracuse, New York, at-risk kids who were provided early childhood services and a high quality preschool program were found to be **only one-tenth as likely** as kids denied these services to be delinquent by age 16.[14]

Other research has shown that even programs that serve only a limited number of children have significantly reduced juvenile victimization during after school hours. With intensive recruiting, after school programs have cut crime by as much as seventy-five percent in some high crime neighborhoods.[15] Participants in after school programs are more likely to do well in school, to treat adults with respect, and to resolve conflicts without violence.[16] The Prenatal and Early Infancy Project assigned half of a group of at-risk mothers to receive visits by specially trained nurses who provide coaching in parenting skills and other advice and support. Careful studies show the program not only **reduced child abuse by 80%** in the first two years, but that fifteen years after the services ended, **these mothers had only one-third as many arrests, and their children were only half as likely to be delinquent**.

Youth who are neglected or abused in their early years run a significantly greater risk of acting out violently themselves when they become teenagers. With almost three million American children reported as being abused or neglected in 1995, we need to make sure that child protection services staff have sufficient resources to identify and treat abused and neglected children. Studies in this area have once again shown the importance of reducing violence and criminal behavior. "Healthy Start", a program in Hawaii which offered at-risk mothers preventive health care and home visits by para-professionals who coached them in parenting skills and child development and offered family counseling showed that over a four-year period those who had not received such services were more than 2-1/2 times as likely to have a confirmed instance of child abuse within their families.

In my estimation, truancy is the single greatest predictor of juvenile delinquency and is the one common factor that runs through the background of almost all juveniles who find their way into court. In Marquette County we have established a combined program involving the schools, the prosecutor's office and the courts to intervene early in cases of truancy. Progressive sanctions are used in an effort to ensure that students attend and are productive in school. Funding must be made available for effective truancy intervention programs and the prosecutors of our nation need to work hand in hand with our school districts and child protection workers to ensure that children are in school and receiving the education that they need to become productive and law abiding citizens in this country.

Use of alcohol and drugs is often a precursor to crime and delinquency. We must continue to make it a priority to ensure that our youth remain alcohol and drug free. The importance of funding alcohol and drug abuse programs aimed at youth, including treatment programs, cannot be overemphasized.

We must also do all we can to identify troubled and disruptive children at an early age and provide these children and their parents with counseling and training that can help avoid future criminal behavior. When elementary school children display disruptive behavior, this is a warning signal that cannot be ignored. Such children and their parents must be provided with appropriate counseling, social skills training, and other help to ensure their future success. Once again, this is an area where studies have already shown the importance of early intervention.

For example, a Montreal study showed that providing disruptive first and second grade boys with services like these **cut in half** the odds that they would be placed in special classes, rated highly disruptive by a teacher or by peers, or be required to repeat a grade in school. These are all signs reflecting the risk of future criminal behavior. Another study showed that providing half of a group of hyperactive 6 to 12 year olds with individual and group therapy, as well as weekly training for their parents, **cut in half** the number who had been charged with a major criminal offense six years later, compared to those children not receiving such services.

We must to do everything we can as a society to promote positive assets in youth throughout America. There are far more good kids in this country who are positive role models in their communities than there are delinquents who are committing criminal offenses. We must mobilize these youth to promote their positive assets and use these children as resources to help us identify problems and problem kids in schools and communities.

Thank you very much for the opportunity to testify before you concerning violent juvenile crime in America. As we all know, there are no simple solutions to this problem. Traditional law enforcement efforts must continue with new tools to deal with today's violent juvenile criminals and to effectively deal with non-violent offenders before it is too late. Violent juvenile criminals must be prosecuted and dealt with severely by our system of criminal justice. We must send a clear message that violence such as that seen in the recent school shootings will not be tolerated in America and we must look for every means possible to prevent these crimes from occurring in the first place. The long-term solution requires that we step back and look at the underlying causes of juvenile crime and mobilize everyone in America to get involved and work together towards addressing these issues.

America's prosecutors remain committed to doing all we can to address juvenile crime problems by holding juvenile offenders appropriately accountable for their criminal acts. However, a balanced approach to juvenile justice is needed and we encourage Congress to adopt such an approach and provide funding to establish a uniform national record keeping system for juvenile offenders and adequate juvenile detention space. Federal funding is also needed for training and resources for local prosecutors and law enforcement officials, and for crime prevention and early intervention initiatives. Thank you for permitting me to appear and present the views of America's prosecutors to your committee. By working together, we can make a difference and make our schools and our nation safer places.

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[1] *See* BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, STATISTICAL ABSTRACT OF THE UNITED STATES 1997, at 209 (1997) [hereinafter STATISTICAL ABSTRACT].

[2] *See* Howard N. Snyder, *Juvenile Arrests 1996*, JUV. JUST. BULL. 5 (Nov. 1997).

[3] *See* STATISTICAL ABSTRACT, *supra* note 1, at 209.

[4] *See id.*

[5] *See* FEDERAL BUREAU OF INVESTIGATION, U.S. DEP'T OF JUSTICE, UNIFORM CRIME REPORTS FOR THE UNITED STATES 1994, at 221 (1995) [hereinafter CRIME REPORTS 1994].

[6] *See id.*

[7] *See* FEDERAL BUREAU OF INVESTIGATION, U.S. DEP'T OF JUSTICE, UNIFORM CRIME REPORTS FOR THE UNITED STATES 1993, at 225 (1994) [hereinafter CRIME REPORTS 1993]; CRIME REPORTS 1994, *supra* note 5, at 225; FEDERAL BUREAU OF INVESTIGATION, U.S. DEP'T OF JUSTICE, UNIFORM CRIME REPORTS FOR THE UNITED STATES 1995, at 216 (1996) [hereinafter CRIME REPORTS 1995]; FEDERAL BUREAU OF INVESTIGATION, U.S. DEP'T OF JUSTICE, UNIFORM CRIME REPORTS FOR THE UNITED STATES 1996, at 222 (1997) [hereinafter CRIME REPORTS 1996]; FEDERAL BUREAU OF INVESTIGATION, U.S. DEP'T OF JUSTICE, UNIFORM CRIME REPORTS FOR THE UNITED STATES 1997, at 243 (1998) [hereinafter CRIME REPORTS 1997].

[8] *See* SNYDER, *supra* note 2, at 4.

[9] *See* CRIME REPORTS 1995, *supra* note 4, at 222; CRIME REPORTS 1996, *supra* note 4, at 222; CRIME REPORTS 1997, supra note 4, at 243.

[10] *See* BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, POPULATION PROJECTIONS OF THE UNITED STATES BY AGE, SEX, RACE, AND HISPANIC ORIGIN: 1995 TO 2050, at 72, tbl. 2 (1996); BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, U.S. POPULATION ESTIMATES BY AGE, SEX, RACE, AND HISPANIC ORIGIN: 1990-1997, at 28, tbl. 1 (1998).

[11] The areas addressed in this Resource Manual include organizational priorities; decision to prosecute; adult vs. juvenile prosecution; detention; sentences; terminology; statements by juveniles; parental responsibility; information access; victims' rights; crime prevention; guns and dangerous weapons; gangs; and federal responsibility.

[12] In 1992, over 1,471,200 juveniles were arrested for delinquency offenses. Of that number, thirty-seven percent were released without the imposition of any formal or informal sanction. Fifty-one percent were required to appear before a judge to answer formal charges. Only fifty-four percent of all juveniles referred to the courts that year were placed in any correctional setting and only two percent were referred to the adult system for trial. OJJDP, United States Department of Justice, Juvenile Court Statistics 1992, 5 (1996).

[13] Schweinhart, L.J., H.V. Barnes and D.P. Weikart, *Significant Benefits: The High/Scope Perry Preschool Study Through Age 27* (Ypsilanti, MI: High-Scope Press, 1993).

[14] Lally, J.R., P.L. Mangione and A.S. Honig, "The Syracuse University Family Development Research Program: Long-Range Impact of an Early Intervention with Low-Income Children and Their Families" in D.R. Powell, ed., *Parent Education as Early Childhood Intervention: Emerging Directions in Theory, Research and Practice* (Norwood, NJ: Ablex Publishing, 1988).

[15] Jones, M.A. and D.R. Offord, "Reduction of Antisocial Behavior in Poor Children by Nonschool Skill Development," *Journal of Child Psychology and Psychiatry and Allied Disciplines* 30 (1989), 737-750.

[16] Miller, B.M., *Out-of-School Time: Effects on Learning in the Primary Grades* (Wellesley, MA: School-Age Child Care Project[now called the National Institute on Out-of-School Time], Center for Research on Women, Wellesley College, 1995); and Posner, J.K. and D.L. Vandell, "Low-Income Children's After-School Care: Are there Beneficial Effects of After-School Programs," *Child Development* 65 (Society for Research in Child Development, 1994) 440-456.

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NATIONAL DISTRICT ATTORNEYS ASSOCIATION
99 Canal Center Plaza • Suite 510 • Alexandria, Virginia 22314
Telephone: (703) 549-9222 Fax: (703) 836-3195

RESOLUTION
ON
CURBING YOUTH VIOLENCE

WHEREAS, the National District Attorneys Association (NDAA) recognizes the importance of nurturing and responsible parenting and supports programs that promote core family values, and intervention and prevention initiatives that focus on the serious negative impact of violence, abuse, neglect , crime and drugs upon the lives of youth; and

WHEREAS, the collective experience of state and local prosecutors across the nation is that the incidence of abuse, juvenile crime and delinquency is greatly increased when these basic needs of children have not been met;

NOW, THEREFORE, BE IT RESOLVED that the NDAA supports a coordinated and balanced approach to address our nation's growing youth violence problem, emphasizing the importance of proven prevention and intervention initiatives, such as efforts to ensure the availability of quality child-care, after-school programs and programs aimed at reducing child abuse, provided that such are not viewed as alternatives to the apprehension and prosecution of juvenile criminal offenders.

Adopted by the Board of Directors, March 21, 1998, at Clearwater, Florida.
98-013.SPR.

Mr. MICA. Thank you for your testimony.

I would like to recognize now Police Chief Greenberg from Charleston, SC. Welcome, sir. You are recognized.

Mr. GREENBERG. Thank you. I want to thank the Subcommittee on Criminal Justice, Drug Policy, and Human Resources—

Mr. MICA. Chief Greenberg, you are going to have to pull one of those up real close. Thank you, sir.

Mr. GREENBERG. Thank you. And I want to thank the chairman for inviting me to be present here today.

I hope, this morning, to offer a suggestion or two that will help to address the serious and growing problem of youth violence in our country. We are all familiar with the problems that have occurred recently in Jonesboro, AR, Pearl, MS, Paducah, KT, Springfield, OR, Littleton, CO, and now in Georgia. These situations were of such a massive nature and had such a devastating effect on whole communities that almost everyone is aware of them. During the past decade, however, significant violence has been felt in even more communities around our country. There have been thousands of instances where young people, especially young black men, have been killed or seriously injured by other young men or teenagers during altercations of one kind or another involving firearms.

While these deadly altercations have, for the most part, been on a one-to-one basis—perpetrator and victim—the decade long and cumulative effect of these incidents has had an even greater impact on the everyday lives of our citizens. In many cases, there have been victims who were not involved, and unintended victims but who have, nonetheless, been killed or seriously injured during these encounters. Many of the incidents have taken place in our urban core areas whereas others, as in the case of the recent school shootings, have occurred in suburban and rural areas.

A number of approaches designed to address these problems have been proposed. Most of the approaches have focused on increasing penalties for use or possession of firearms by young people. Other approaches have targeted those who sell firearms to underage persons or those who leave firearms in places where they are unreasonably accessible to unauthorized persons.

There has been some degree of success achieved through these means. We have shared in that success in Charleston where, as a result of cooperation between school officials, law enforcement, prosecutors, courts, and the business community, we have avoided much of the violence that other communities have suffered.

It has become clear in our community that in order to curtail school violence involving firearms, it is necessary to discourage people from bringing firearms onto school property. In other words, in order to get the guns out of the schools, it is essential to get the people with the guns out of the schools.

The Charleston County school district has adopted a zero tolerance policy against guns in the school environment. The school administration actively supports allied law enforcement efforts to rid schools of guns and the people who possess them. The district immediately suspends student violators and recommends them for expulsion. In addition, in cooperation with the local Crime Stoppers Program, an anti-illegal gun initiative dubbed "Gun Stoppers" operates to provide immediate rewards to those persons who anonymously report the presence of firearms and the people who possess them. Gun Stoppers provides, in many cases, immediate $100 rewards to persons who report illegal firearms. The money for this program comes from three local civic-minded businessman interested in keeping firearms out of the hands of young people.

Most firearms on school grounds, and indeed other locations where it is unlawful to possess firearms, are introduced by young people who believe that the possession of a firearm on their person provides them with a high level of social prestige that they can enjoy amongst their fellow students. While these students may sometimes claim that firearms are necessary for their safety, the actual reason a firearm is carried to school is to obtain the peer social prestige of being tough and fearsome. In order to appear tough and fearsome, they believe it necessary to show off their firearm as often as possible. The more often the firearm is displayed, the more prestige accrues to the person possessing the gun.

The Gun Stoppers Program offers a $100 reward in order to reduce the propensity to show off the firearm due to the fear of having someone report the gun possession to the school officials or to the police. This reporting is confidential and in most cases the reward is immediate, often the same day that the illegal gun is located. Thus, the situation is changed to the extent that the more the gun is displayed, the more likely someone will report the presence of the gun thereby seeking a reward. Consequently, showing off the firearm, even to close friends, is likely to lead the illegal firearm being seized and its possessor arrested. In short, the successful strategy has been to take the illegal gun possession, which had been deemed to have been desirable, and transforming it into something that is highly risky and undesirable. If it is too risky to display a gun, there is little reason to have it.

The results of the Gun Stoppers Program in Charleston and the surrounding five counties where it operates is that over 49 guns have been confiscated and 50 arrests have been made for illegal gun possession, primarily in schools. All of these guns were taken into custody before they were fired. It is important to note that the Gun Stoppers Program is not an anti-gun program; it is an anti-illegal gun program.

While the vast majority of guns have been removed from the school grounds and property, guns have also been removed from playgrounds, street corners, bars and taverns. Not all persons who have been arrested have been prosecuted. A 9-millimeter, fully loaded handgun was reported in the possession of a 6-year old while he was riding on a school bus. The 6-year old was not prosecuted, but we were still able to remove a gun off the school bus. Removing guns from school buses is a good thing to happen, whether anyone goes to jail or not.

As a law enforcement officer, I have often wondered why some school authorities have been so adamant about trying to maintain in school juveniles guilty of possessing a gun in the school environment. I recognize that it is our society's desire to provide an education to everyone. However, there must be some recognition that not everyone can, in the final analysis, be educated if that person creates an environment that markedly diminishes the security of the entire school. Possessing a firearm in schools and playgrounds must be viewed as representing the very front rank of danger to larger communities. Those possessing such firearms should be denied the opportunity to victimize or threaten law-abiding society.

It has become clear in recent years that American society has changed with regard to both its glorification and toleration of violence. Movies and visual images have become more and more violent. Actual incidents of violence have also become increasingly violent. Attacking the instruments of this violence—that is firearms, bombs, and knives—is not the way to go toward reducing the problems of violence that face us. Indeed, it is doubtful that any implementation of external control measures can succeed in removing or rescuing us from the danger that faces us. It is my belief that our current problems must, in the end, be overwhelmed using internal social controls that were once implemented by a host of societal influences, including the family, churches and synagogues, neighborhoods, youth organizations, and voluntary restraint by entertainment and literary sources in our society.

I believe that we can discourage increasing violence and disrespect for human life and each other in precisely the same way that we have acted to encourage it. We must again seek to restrain ourselves and shun the tendency to become more and more sensational in portraying actual and creative violence in our society. We did not come to our present situation all at once. We lowered ourselves to it bit by bit over time. In a similar way, we can reverse ourselves and move our society toward a more wholesome stance that can again give us a society where positive and valued individual and community relationships can be fostered. Increased enforcement can help us start this process by halting our "anything goes" approach to happiness and responsibility.

We should not be surprised that we have come upon the natural consequences of our lack of restraint. Both action and inaction have consequences. Guns are not new to American society; they have been long with us. But guns do, however, exhibit some change. They are more powerful and have greater capacity for destruction. However, they still require a human being to activate them. What has really changed is American society. We no longer interact with one another nor respect each other in the ways we once did. It is in this area that I believe we need to rededicate ourselves and our communities.

Many schools in our country have regular full-time police officers assigned for security purposes and to serve as resource officers. One such police officer was assigned to Columbine High School in Littleton, CO and was present when the killing spree there began. This officer reportedly exchanged shots with the suspects in that incident. I believe that it could be beneficial for some schools to have such an officer present, not only to provide security but also to interact with the students in a host of positive ways. Few schools or law enforcement agencies can afford to bear the cost of assigning officers to such duties. The Federal Government could assist schools by helping to provide funds for officers for school security and safety.

In our jurisdiction in Charleston, there has been a heightened need for security in area schools primarily as a result of the news of the Littleton, CO shootings and bombings. Several students claiming to be preparing to bomb or shoot up their schools have been arrested and charged with making terrorist threats. The presence of these school security and resource officers has been of considerable value in helping to ensure parents, school officials and students a safe educational environment. The need for this kind of safety assurance will undoubtedly continue long past the media interest in this headline story.

Mr. MICA. Chief, if you could begin to summarize—we are a little bit over—I would appreciate it.

Mr. GREENBERG. Yes, sir. If I could have 40 seconds?

Mr. MICA. Oh, go ahead, just begin to summarize, if you could.

Mr. GREENBERG. Thank you. The school security officers can also be assigned to perform protective roles in area parks and playgrounds during the summer when school is out, thereby permitting the community to extend its protection beyond just the school itself and reach other areas where children tend to gather and play.

One of the many negative influences affecting the educational environment is the diminishing role and influence that teachers and principals exert in today's schools. While teachers and principals are expected to exercise increasing amounts of responsibility over the educational environment, they are permitted less and less authority to act in reasonable and responsible ways.

Commentators have enumerated the many so-called warning signs that were exhibited by the suspects in the Columbine shooting. However, had any school official acted to interfere or intervene with respect to those warning signs, they most certainly would have been subjected to allegations of bias, insensitivity, and even overreacting in reference to them. The roles of school officials have been so diluted that they dare not even refer to their students in any way other than by using the most laudatory terminology. The value of a student's self-esteem is so highly regarded that even the most remotely delivered statement suggesting a need for any improvement or reflection by a student is almost universally discouraged. Almost no teacher or administrative discretion and deference remain or is appreciated. We can't have it both ways. We cannot hold them responsible while at the same time denying them the authority to act.

I want to thank the committee for its indulgence and attention. Thank you very much.

[The prepared statement of Mr. Greenberg follows:]

YOUTH VIOLENCE IN OUR COUNTRY TODAY

I want to thank the Subcommittee on Criminal Justice, Drug Policy, and Human Resources for inviting me to be present here today.

I hope this morning to offer a suggestion or two that will help to address a serious and growing problem of youth violence in our country. We are all familiar with the problems that have occurred recently in Jonesboro, Arkansas ■ Pearl, Mississippi ■ Paduka, Kentucky ■ Springfield, Oregon, and Littleton, Colorado. These situations were of such a massive nature and had such a devastating effect on whole communities that almost everyone is aware of them. During the past decade, however, significant violence has also been felt in even more communities around our country. There have been thousands of instances where young people, especially young black men, have been killed or seriously injured by other young men or teenagers during altercations of one kind or another involving firearms.

While these deadly altercations have, for the most part, been based on a one-on-one basis-- perpetrator and victim, the decade long and cumulative effect of these incidents has had an even greater impact on the everyday lives of our citizens. In many cases, there have been victims who were not only not involved and unintended victims, but who have, nevertheless, been killed or seriously injured during these encounters. Many of the incidents have taken place in our urban core cities while others have, as in the case of the recent school shootings, occurred in suburban and rural areas.

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A number of approaches designed to address these problems have been proposed. Most of these approaches have focused on increasing penalties for use or possession of firearms by young people. Other approaches have targeted those who sell firearms to underage persons or those who leave firearms in places where they are unreasonably accessible to unauthorized persons. There has been some degree of success that has been achieved through these means. We have shared in that success in Charleston where, as a result of cooperation between school officials, law enforcement, prosecutors courts, and the businesses community, we have avoided much of the violence that other communities have suffered.

It has become clear in our community that in order to curtail school violence involving firearms it is necessary to discourage people from bringing firearms on school property. In other words, in order to get the guns out of the schools, it is essential to get the people with the guns out of the schools.

The Charleston County School District has adopted a Zero Tolerance Policy against guns in the school environment. The school administration actively supports allied law enforcement efforts to rid schools of guns and the people who possess them. The District immediately suspends student violators and recommends them for expulsion. In addition, in cooperation with the local Crime Stoppers program, an anti-illegal gun initiative dubbed "Gun Stoppers" operates to provide immediate rewards to those persons who anonymously report the presence of firearms and the people who possess them. Gun Stoppers provides, in many cases, immediate $100 rewards to persons who report illegal firearms. The money for this program comes from three local civic-minded businessmen interested in keeping firearms out of the hands of young people.

Most firearms on school grounds and indeed other locations where it is unlawful to possess firearms are introduced by young people who believe that the possession of a firearm on their person provides them with a high level of social prestige that they can enjoy amongst their fellow students. While these students may sometimes claim that firearms are necessary for their safety, the actual reason a firearm is carried to school is to obtain the peer social prestige of being tough and fearsome. In order to appear tough and fearsome, they believe it necessary to show off their firearms as often as possible. The more often the firearm is displayed, the more prestige accrues to the person possessing the gun.

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While the vast majority of guns have been removed from school grounds and property, guns have also been removed from playgrounds as well as street corners and from bars and taverns. Not all persons who have been arrested have been prosecuted. A 9mm fully loaded hand gun was reported in the possession of a six (6) year old while he was riding on a school bus. The six year old was not prosecuted, but we were still able to remove a gun off the school bus. Removing guns from school buses is a good thing to happen whether anyone goes to jail or not.

As a law enforcement officer, I have often wondered why some school authorities have been so adamant about trying to maintain juveniles guilty of possessing hand guns in the school environment in school. I recognize that it is our society's desire to provide an education to everyone, however, there must be some recognition that not everyone can, in the final analysis, be educated if that person creates an environment that markedly diminishes the safety and security of the entire school. Possessing a firearm in schools and playgrounds, etc. must be viewed as representing the very front rank of danger to the larger community. Those possessing such firearms should be denied the opportunity to victimize or threaten law abiding society.

It has become clear in recent years that American society has changed with regards to both its glorification and toleration of violence. Movies, and visual images have become more and more violent. Actual incidents of violence have also become increasingly violent. Attacking the instruments of this violence, firearms, bombs and knives, is not the way to go toward reducing the problems of violence that face us. Indeed, it is doubtful that any implementation of external control measures can succeed in removing or rescuing us from the danger that faces us. It is my belief that our current problems must, in the end, be overwhelmed using internal social controls that were once implemented by a host of societal influences including the family, churches and synagogues, neighborhoods, youth organizations and voluntary restraint by entertainment, and literary sources in our society.

I believe we can discourage increasing violence and disrespect for human life and each other in precisely the same way I believe we have acted to encourage it. We must again seek to restrain ourselves and shun the tendency to become more and more sensational in portraying actual and creative violence in our society. We did not come to our present situation all at once. We lowered ourselves to it bit-by-bit over time. In a similar way we can reverse ourselves and move our society toward a more wholesome stance that can again give us a society where positive and valued individual and community relationships are fostered. Increased enforcement can help us start this process by halting our "anything goes" approach to happiness and responsibility.

We should not be surprised that we have come upon the natural consequences of our lack of restraint. Both action and inaction have consequences. Guns are not new to American society. They have long been with us. The guns do, however, exhibit some change. They are more powerful and have greater capacity for destruction. However, they still require a human being to activate them. What has really changed is American Society. We no longer interact with one another, nor respect each other in the ways we once did. It is in this area that I believe that we need to rededicate ourselves and our communities.

Providing increased safety for our schools

Many schools in our country have a regular full time police officer assigned for security purposes and to serve as a resource officer. One such police officer was assigned to Columbine High School in Littleton, Colorado and was present when the killing spree there began. This officer reportedly exchanged shots with the suspects in that incident. I believe that it could be beneficial for some schools to have such an officer present not only to provide security, but also to interact with the students in a host of positive ways. Few schools or law enforcement agencies can afford to bear the costs of assigning officers to such duties. The Federal Government could assist schools by helping to provide funds for officers for school security and safety.

In our own jurisdiction in Charleston, there has been a heightened need for security in area schools primarily as a result of the Littleton, Colorado shootings and bombings. Several students claiming to be preparing to bomb or shoot up their schools have been arrested and charged with making terroristic threats. The presence of these school security and resource officers has been of considerable value in helping to assure parents, and school officials and students of a safe educational environment. The need for this kind of safety assurance will undoubtedly continue long past the media interest in this headline story.

The school security officers can also be assigned to perform protective roles at area parks and playgrounds when school is out, thereby permitting the community to extend its protection beyond just the school itself and reach other areas where children tend to gather and play.

Enhancing the role of teachers and school administrators

One of the many negative influences affecting the educational environment is the diminishing role and influence that teachers and principals exert in today's schools. While teachers and principals are expected to exercise increasing amounts of responsibility over the educational environment, they are permitted less and less authority to act in reasonable and responsible ways.

Many commentators have enumerated the many so-called warning signs that were exhibited by the suspects in the Columbine shooting. However, had any school official acted to intervene with respect to these "warning" signs, they most certainly would have been subjected to allegations of bias, insensitivity and even over reacting in reference to them. The roles of school officials have been so diluted that they dare not ever refer to their students in any way other than by using the most laudatory terminology. The value of a student's self esteem is so highly regarded that even the most remotely delivered statement suggesting the need for any improvement or reflection by a student is almost universally discouraged. Almost no teacher or administrative discretion and deference remains or is appreciated. We cannot have it both ways. We cannot hold them responsible while at the same time denying them the authority to act.

Thank you for your indulgence and attention.

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Mr. MICA. Thank you for your testimony, and I am going to add Dr. Lawrence Sherman, Chair of the Department of Criminology and Criminal Justice at the University of Maryland, to this panel, and I will swear you in. I know you have a scheduling conflict.

[Witness sworn.]

Mr. MICA. The answer is in the affirmative, and you are recognized, sir, for 5 minutes.

STATEMENT OF LAWRENCE SHERMAN, CHAIR, DEPARTMENT OF CRIMINOLOGY AND CRIMINAL JUSTICE, UNIVERSITY OF MARYLAND

Mr. SHERMAN. Thank you, Mr. Chairman.

I appreciate the opportunity today to urge the Committee on Government Reform to reform three aspects of Federal legislation with respect to school violence.

First, is to put crime prevention money where the crime is and not just distribute it on the basis of population. Second, is to move the Safe and Drug Free Schools Program away from programs that don't work and to invest in programs that do, specifically policing in high crime hot spot areas where most children are at risk of being murdered and seriously injured by gun violence. Third, to launch a crash effort to determine whether large schools are causing youth violence all over the country by testing the expensive but promising solution of shrinking schools of 2,000 and 3,000 students down to 500, which may have been associated with Columbine and some of the other killings.

Now, in relation to the first point, Mr. Cummings has already suggested to you that the vast majority of children who are murdered are killed in inner city, concentrated poverty areas where there is very little attention to the thousands of deaths that occur in those places each year. That is also where the school violence in this country, as reported by the Bureau of Justice Statistics, is concentrated.

If we look at how Federal aid gets allocated per homicide, what we find is that low homicide jurisdictions, like the State of Vermont, are getting about $1 million in Federal aid per homicide, whereas high homicide districts, such as Mr. Cummings' in Baltimore, are getting about $5,000 per homicide, and I think it is difficult to justify spending 20 times more per homicide for citizens in one part of the country than in another part of the country.

It is supposed to be dealing with a problem. The problem in the case of violence against kids is that they are 44 times more likely to be murdered per minute outside of school than they are in school. So, that if we really wanted to make our children safe from being murdered, we might want to move them all inside the schools rather than be focused on the schools as the site of the murders. Even though some rare events do happen and attract a lot more attention, it is not the substantive focus of the problem.

The problem is, in the inner city poverty areas where are guns are combined with hopelessness and where we have astronomically high homicide rates in general, those can be dealt with under my second proposal, which is to take the $550 million of Safe and Drug Free Schools money and to redirect it away from bad decision-making by the 15,000 local education authorities in this country that have wasted that money—$6 billion of it—since 1986 on programs like magicians, concerts, and lectures on how Dillon Thomas killed himself by drinking too much at $500 a lecture. The waste in that program is all the more regrettable because if that money had been spent for additional police patrols in high crime hot spot areas where demonstrated projects to get guns off the street have reduced gun injury and homicide, if that money could be directed in that way, I think that the Federal taxpayer would be getting a lot more prevention of injury to children than we have gotten so far for that $6 billion to date.

But, third, to relate it to the recent tragedy in Columbine, I think it is also possible to take part of the Safe and Drug Free Schools money and to invest it in a way that only the Federal Government can invest it. The $550 million is a drop in the bucket compared to total Federal, State, and local funding for education in this country, which is in the range of $300 billion a year. What we don't know in that spending is what price we are paying for the alleged efficiency of having these very large high schools where kids are anonymous, where cliques rule the school, much like the cliques rule the prison, where the principal of the Columbine High School had never even heard of the Trench Coat Mafia prior to the shootings even though it had been in the yearbook the year before this happened, which I think reflects the fact that he is dealing with paperwork and administration and all of the red tape that is involved in managing such a very large complex.

The research shows that a coherent school where the teachers know the students and where the students feel a sense of identity are places that have much lower levels of violence. We don't know whether size causes those lower levels of violence, but it is a reasonable hypothesis; all of the evidence is consistent with it. If we were to take a school like Columbine and break it up into four or five small schools, I think that we would find reduced levels of alienation, of anger, and ultimately of violence. That might be the policy that the Federal Government can help the local education authorities in this country achieve.

I think, in summary, the fact is, we are spending enormous amounts of money trying to prevent youth violence, and we are dissipating it in small amounts, and the majority of the school districts are getting less than $10,000 a year. You can't do anything meaningful with that money except what I call symbolic sport, which is to say that we are spending money on the goal, but we are not even doing anything that is showing evidence of affecting the goal. It is rather like building a dam in somebody's district by getting the contract, talking about it, but then the dam never gets built, and I am afraid that is the way most of the Federal money spent for this purpose now is being allocated. If it was redirected to policing or to critical research policy questions, like school size, I think we would be getting a lot more bang for the buck.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Sherman follows:]

UNIVERSITY OF
MARYLAND
COLLEGE OF BEHAVIORAL AND SOCIAL SCIENCES
Department of Criminology and Criminal Justice

2220 LeFrak Hall
College Park, Maryland 20742-8235
301.405.4699 TEL 301.405.4733 FAX

UNITED STATES HOUSE OF REPRESENTATIVES

Committee on Government Reform
Subcommittee on Criminal Justice, Drug Policy and Human Resources
The Honorable John Mica, Chairman

The Police Role in Fighting School Violence:
Doing What Works, Not What Doesn't

May 20, 1999

Testimony of

Lawrence W. Sherman
Distinguished University Professor
Chair
Department of Criminology and Criminal Justice
University of Maryland
College Park, MD

Summary: School violence cannot be separated from youth violence. The U.S. Congress should allocate crime prevention funding where it is needed the most, support programs found to work (like extra police patrol in crime hot spots) rather than those that don't (like D.A.R.E.), and invest in a rigorous scientific research and development program to better inform local and school leadership in how best to fight youth violence. Such crucial questions as whether big schools cause more violence than smaller schools, per student, can only be answered with a federal investment in long-term research that accompanies a greater immediate federal investment in policing.

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Mr. Chairman, Members of the Subcommittee, thank you for the opportunity to testify before you today on the issue of school violence.

I am here today to urge you to do three things:

1) put crime prevention money where the crime is: in the inner city poverty areas where most school violence is concentrated

2) move Safe & Drug Free Schools funding away from programs that don't work -- such as D.A.R.E. -- and into programs that do work, like police patrols of high crime "hot spots."

3) Launch a crash effort to determine whether large schools are causing youth violence all over the country, by testing the expensive but promising solution of shrinking schools from 2,000 or 3,000 students down to 500.

These recommendations come to you after years of research on federally funded efforts to prevent crime and youth violence. In 1997 my colleagues and I at the University of Maryland were asked by Congress to prepare an independent report on the effectiveness of federal crime prevention programs. The study, ***Preventing Crime: What Works, What Doesn't, What's Promising***, reviewed of over 500 crime prevention program evaluations and the most recent data on violent crime. We found that:

- Most crime prevention funds are being spent where they are needed least
- Among the evaluated programs, some of the least effective receive the most money
- Most crime prevention programs have never been evaluated

(the report can be found at www.preventingcrime.org)

Today I will elaborate on these three points as they relate to your question of safe schools.

1. Safer Neighborhoods, Safer Schools

School violence cannot be separated from youth violence. Both problems are heavily concentrated in a small number of schools in urban poverty areas. The highly-publicized mass murders are a statistically-aberrant, needle-in-the-haystack variation on the problem. These incidents are terrible tragedies that should and do produce valuable national dialogue, but in setting long-term public policy, we need to focus on where the core of the problem lies.

Not all children are equal in their risk of being murdered, either in school or out. School

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violence, like violence in general, is heavily concentrated. Seventeen percent of schools in cities report at least one violent incident in a year, compared to 11 percent on the urban fringe, 8 percent of rural schools, and a 5 percent of schools in small towns.

The best predictor of the safety of a school is the safety of its neighborhood. Research on school safety shows that the causes of violence and drug abuse in schools have only a modest connection to what goes on within their walls. The fact that most youth violence occurs outside schools suggests that schools actually do a pretty good job of protecting students against violence for 7 hours a day. Once the effect of neighborhood violence rates is controlled, there is only minor variability remaining in the safety of each school.

Serious violence in this country is heavily concentrated in a small number of neighborhoods in a small number of cities. Yet the lowest level of crime prevention spending per homicide is found in those areas, while most federal funding is actually spent in low risk areas--even for programs like the 100,000 extra police through the COPS program. Half of all homicides in the US occur in the 63 largest cities, which house only 16% of the population. Most of the homicides in those cities occur in a handful of concentrated poverty areas, which in turn may constitute some 15 to 20 percent of the populations of those cities. Our national rates of serious crime -- in and out of schools -- are heavily determined by what happens in our most violent census tracts. With very few exceptions, however, federal policy does not focus funding on those areas where the most violence occurs.

The mismatching of federal funds and the problem of violence is not the policy of any federal agency, but of the legislative formulas used to allocate the funding. Most of those formulas are based on population, and give zero weight to the per capita level of violence in a state or community. Put bluntly, **the formulas put violence prevention funding where the votes are, not where the violence is.**

2. Invest Safe and Drug Free Funds in more police around violent schools.

Since 1986 the Safe and Drug Free Schools Program has given over $6 billion to 15,000 local school districts and 50 state governors. There is no evidence that schools are safer or more drug-free today than they would have been without the program. According to a *Los Angeles Times* report last summer, much of this money has gone to performing magicians, fishing trips, and concerts. The U.S. Department of Education has been handcuffed by statute in its ability to control how this money has been spent. The basic question is whether that money would be better spent on extra police to protect young people from violence in high-risk areas, working in collaboration with schools and other local institutions.

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Maryland's *Preventing Crime* report shows that police can make a difference. More police can mean less crime. More specifically, the research shows putting police at the hot spots at the hot times reduces crime. Three percent of the addresses in this country produce half the crime. Using computerized crime mapping software, police departments -- following the lead of the New York City Police Department and others -- can accurately measure and analyze the nature of crime and provide valuable guidance to police and community leaders. Several scientific studies have shown the strength of programs that take illegally carried guns off of our streets, particularly from youth near parks, playgrounds, and schools. Several cities and counties have done these programs in ways that reduce crime in a manner that is constitutional and has the support of the residents of high-crime areas. Doing this in collaboration with school-based officers could make them even more effective.

Mr. Chairman, whether it is the schoolhouse or the U.S. House, metal detectors can help keep people and buildings safe. But until federal, state, and local leaders concentrate their time and resources in areas where most of the crime occurs, we will not make substantial progress in ensuring safe schools.

Police on Patrol, Not in The Classroom. When federal funding diverts police from patrol duties to teach classes on the Drug Abuse Resistance and Education (D.A.R.E.) program, they are being put in the wrong place at the wrong time. Several independent, scientifically rigorous studies have shown D.A.R.E. as commonly implemented to be ineffective in preventing future substance abuse.

D.A.R.E. is taught by police officers, who visit schools to teach primarily 5th and 6th graders over 17 lessons. This most common version of D.A.R.E. showed no impact on reducing drug use, according to several studies. A study by the prestigious Research Triangle Institute found the program's "limited effect on adolescent drug use contrasts with the program's popularity and prevalence... D.A.R.E. could be taking the place of other more beneficial drug education programs." Why? Possibilities include that it is short-term moralizing, affective teaching that lectures kids and that it is shed by youth as they grow older as just "kid's stuff." D.A.R.E. is the most-widely used substance prevention program in our nation's schools, and receives a lion's share of federal spending in this area. The cities of Seattle, Houston, Omaha, and Burlington, Vermont have dropped the program to seek out more effective strategies. But why does it continue to be offered in 80 percent of the nation's school districts at a tune of $750 million each year? It is a program supported by strong advocates, not strong evidence.

We would be far more likely to get drug-free schools from a school-based program that is far less-funded, but has proven to be far more effective, than D.A.R.E. That program is Life Skills Training (L.S.T.). L.S.T. teaches, over a long period of time, such skills as stress management, problem-solving, self-control and emotional intelligence. Scientific study has shown it to be effective in reducing delinquency and substance abuse. Other programs that offer training or coaching in "thinking" skills for high risk youth using behavior modification techniques or rewards or punishment have also been found to be more effective than D.A.R.E.

3. Should we Reduce School Size? Important Research Needs Go Unmet.

Other research cited in the *Preventing Crime* report found that school climate makes a big difference, and that smaller schools seem to do better than larger schools. We know that smaller schools have less violence per student and per teacher. What we don't know is whether smaller size causes less violence. The only way we can find that out is to invest some of the Safe Schools money in a major demonstration and field test that would spilt up big high schools, and compare youth violence in those communities before and after the schools were shrunk to a manageable size.

Maryland's Denise Gottfredson and others have found evidence that programs that clarify and communicate norms about behavior through rules, reinforcement of positive behavior, and school-wide initiatives such as anti-bullying are effective in reducing crime and delinquency and substance abuse. All of these programs and their elements are easier to mount in smaller schools than in larger schools.

School size is only one of the many crucial questions that research can answer. Rather than wasting $6 billion on untested programs, we should put the federal role where it uniquely can contribute to helping local schools spend local tax dollars: on high cost research and development efforts that can produce high yield.

The Safe and Drug Free Schools Program should be revamped to create a strong research, development, and demonstration component. Our tax dollars should support evaluations of violence and substance abuse prevention efforts. It should conduct basic research -- with demonstration sites to test this research -- on issues such as school size and structure. The National Institute of Justice, the research arm of the U.S. Justice Department, would be an excellent partner in these projects. Non-partisan, non-governmental entities such as the National Academy of Science and the National Academy of Public Administration can help in establishing research agendas, maintaining a level of scientific rigor, and aiding in outreach and dissemination with policymakers at all levels.

Mr. Chairman and Members of the Subcommittee, this concludes my written testimony. I would be glad to address your questions and comments.

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Mr. MICA. Thank you. I think we have had an opportunity to hear from all of these four witnesses.

I just have one or two quick questions. Federalization of some of the crimes that are attendant to school violence, what is your position on that, Mr. Attorney General?

Mr. CONDON. I would be very much against that. I do think when you look at the proper role of the State versus the Federal Government, to Federalize, where would you start, really, and where would it end? In my own mind, in my home State, with all due respect to the moneys that are spent on Federal courts, I can just see these school thugs going through these great halls of marble and mahogany and the system is not really handling them. I do think if you can give us some resources in the State system, I really feel like—I would like to hear his view—I think that is the way to go.

Mr. MICA. I think, Dr. Sherman—I don't want to take any of the words out of context—but we are saying that the dollars that we have, try to expend them for enforcement and prevention and programs where they are needed where you have the highest incidents, and that is not being done now. Is that correct?

Mr. SHERMAN. That is absolutely correct, Mr. Chairman.

Mr. MICA. OK, and do you agree with that?

Mr. CONDON. Yes, yes. He is talking about what I had learned in terms of so many Federal dollars being spent. As I understand what he is saying in terms of—we are not talking about sending the FBI into these school district—he is talking about block granting it and getting police officers on the streets, school resource officers, and things of that nature; excellent idea.

Mr. MICA. What do you think, Chief?

Mr. GREENBERG. Yes, I certainly would agree with that. As an operating chief of police today after Littleton, CO, the thing that people want is to feel assuredly safe in their own schools. In this country, that has generally been the case, but even though we have had no incidents in Charleston like this, people read the newspapers and see what is going on, and people simply don't feel safe in their school environments anymore. We have to react to that by making it possible for them to feel safe, and we do that by adding people who are trained to make them safe, to see to their safety in that particular environment.

Mr. MICA. Thank you. Finally, Mr. Walker, how do you feel about the Federalization of these acts or crimes?

Mr. WALKER. With all due respect to the Federal Government, which has some excellent assistant attorney generals and U.S. attorneys, the Federal system is simply not designed to handle youth crimes. The last time that I checked, there was something like 200 secure beds available federally for juveniles. The States have handled it. I think the attorney general from South Carolina is correct. I think that is the appropriate place legally. I also think it is the appropriate place practically. I do not believe that should this Congress pass Federal legislation dealing with school violence, that it will make a lot of difference. It will be symbolic, but I do not believe that it will be used effectively. I think the States are much more effective in dealing with this kind of problem.

Mr. MICA. Thank you. I would like to yield now to Mrs. Mink.

Mrs. MINK. Thank you very much.

The Department of Education spokesman earlier stated that in 90 percent of the schools, there are no incidents of serious youth crimes leaving, therefore, the conclusion that in 10 percent of the schools they do have incidents of serious crime.

Dr. Sherman points out that most of the crime affecting youth in our society is in the inner cities. My question is, the formula and the distribution of Federal funds under the Safe Schools Act is done on the basis of distribution by population. What is your opinion, then, following Dr. Sherman's comments, that that funding that is now available be concentrated on the 10 percent of the schools that have evidenced serious youth crime and concentrate the dollars that we are allocating—some $500 million—to just those areas and leave out the other 90 percent? Or is there any merit in the idea that 90 percent of our schools have avoided the serious problems because they have had some help, some support from the Federal Government in the Safe Schools Act?

Would any of the three law enforcement people like to comment on that? I know this is what Dr. Sherman said, but I would like to have your comments.

Mr. WALKER. I am not so sure that Dr. Sherman is not correct. I think for the Safe—if we are dealing with Safe School money and the primary concern is money to our schools, it makes sense, I think, to put meaningful money where the problems exist most. I would, however, quickly add that it is my position, personally, as a prosecutor of 25 years, and the position of the National District Attorneys Association, that there is a not only a role for the Federal Government but I think a critical one in dealing with prevention, and prevention doesn't mean giving money to a high school to prevent violence. Prevention means dealing with young children—people who are age zero to 2, zero to 6.

There are some proven programs that currently exist. The University of Colorado Center for Violence Prevention has published an entire series that I would urge this panel to access. There are programs that have—for example, the Early Childhood Nurse Visitation in Elmyra, NY. It is a 15-year longitudinal study. We put home nurses in at-risk families. We reduced the number of delinquency referrals 15 years later for those children by 50 percent.

So, while I think that if you are dealing specifically with school violence money, it, to me, only makes sense to place it where that violence is occurring, but I think you need to step back. If you are going to deal with the problem not as a band-aid but for a long-term solution, I think the way you deal with it is to prosecute it now, because we must, and try to prevent it in the future.

Mr. CONDON. One observation I would make, too, is I would look behind that definition of what they consider serious school crime, because I have a hard time, based upon my experience, believing that only 10 percent of the schools have serious crimes, not the other 90 percent. I am assuming, within that definition, they exclude assaulting teachers; they exclude drug trafficking; they exclude bringing weapons to school, and I think you would have to include those.

Mrs. MINK. Chief, do you have any comments?

Mr. GREENBERG. Yes, I believe that there are really two things. It seems that we have a short-term solution—when I say short term, I am talking about the next 5 or 6 years, probably no more than 10 years—and then the long-term solution. A long-term solution, in my judgment, has to do with the schools, themselves, and the kind authority and independence that schools, teachers, and administrators are given to run schools. They had that authority once in our country, and it just virtually disappeared. It has been taken away from them bit by bit through a variety of different means.

With respect to the police, we can have some immediate impact upon safety in schools until other kinds of things our society needs to do will finally be able to have an effect, including greater authority and independence for school officials.

At the same time, we have to change our society as to the kind of violence, the kind of external stimuli the students and all of us receive almost every day, if not constantly all the time. These things are going to have to be addressed, as well. We can't separate what we see and what we hear from what people eventually are going to do.

Mrs. MINK. Thank you, Mr. Chairman.

Mr. MICA. Mr. Barr, you are recognized.

Mr. BARR. Thank you, Mr. Chairman.

Mr. Chairman, I would like to commend you for pulling together this panel and to commend the four panelists. It has been very refreshing.

I had been somewhat rude, though, reading their statements as they have been talking, but their statements are magnificent, because they reflect common sense, real life experiences, they are to the point, and they are not bureaucratese. So, I haven't been rude not listening to you all—I have been—but I really have been reading your written presentations, and I really do appreciate them. There is a lot of good information in here.

I appreciate a couple of things. For example, Mr. Condon, you said both in your oral testimony as well as in your written statement that, "No serious offense in a school should go unpunished." I must say parenthetically that that thought—not regarding schools but certain other locations—crossed my mind during the impeachment proceedings, unfortunately, but results don't reflect that crimes in certain places should go unpunished.

But you said that—the notion that you are talking about here I think reflects the fact that people generally, and I suspect school kids also, they do pay attention to what goes on in the world around them. They do notice if people don't get prosecuted for crimes; that sends a certain message to them, I suspect. And that is why I think you all are saying something very important, that whether it is role models that we look at for our children or whether or not we, as adults, are consistent in enforcing the laws. These things do have an impact on the thought process that goes through our children. For example, when you talked, Mr. Condon, about banning all plea bargaining for serious school crimes, apparently you are serious about it.

I was very distressed, both as a former U.S. attorney as well as a parent and as a legislator, to see, for example, that this current administration, the current Attorney General, specifically changed the policy of the prior Attorney General, Mr. Thornberg, who said gun crimes are not to be plea bargained down. That was his specific directive to U.S. attorneys reflecting his view and the view of the prior administration that serious gun offenses should not go unpunished and that prosecution, punishment, and prison are the three P's of a policy. Then when Attorney General Reno came in, there was a specific directive to U.S. attorneys to take the shackles off. It said, basically, go ahead and start plea bargaining these cases down.

We also see, I think, something important for people who are concerned about prosecuting school crime, in particular, and the lack of interest by the Federal Government—and I understand what you are saying and agree with you also that the Federal Government prosecution of violent crimes should not be the tail wagging the dog. The point, though, that I am making here and I think that you are also, is that if we do have Federal gun laws and Federal laws with regard to bringing firearms onto school property and we don't prosecute them, then that sends a certain message.

For example, in 1996, there were only four Federal prosecutions of the Federal law prohibiting possession or discharge of a firearm in a school zone. That shot up to five prosecutions in 1997 and made a quantum leap to eight in 1998. And yet, that is completely ignored by the President when he challenges this and talks about thousands of cases of this.

If you could just comment briefly, maybe the rest of the panel if you have a chance, on the need and the importance of consistency in prosecution and the message that inconsistent leniency, for example, in Federal prosecution sends to our kids and our school administrators.

Mr. CONDON. I certainly agree with your comments. I am sure you are aware of the work of the U.S. attorney in Richmond, VA with Project Exile—

Mr. BARR. An excellent program. We are told that it is being—tried to be deep-sixed by the attorney general.

Mr. CONDON. It does work. And, again, I am not against, and I don't think anyone here is against prevention strategies and all the things that we need to be talking about, but at the end of the day if someone commits a serious crime, there has to be accountability. If there is not, word spreads that you can get away with it; it is not so bad, and you lose all the deterrent value that is there. And kids know—in talking to school children in our State, that is one of the keys that we find in talking to them, that those that, frankly, break the rules or commit the crimes, there needs to be a very serious sanction imposed.

Mr. BARR. I appreciate that.

Mr. Walker, I would like to commend you not only for your prosecutorial work but for your work with the National District Attorneys Association, and a former colleague of mine from my home county, Todd County, Tom Sherrin, served I think with great distinction, as you do, as head of that organization.

Mr. WALKER. I know Tom very well. Mr. Barr, I would like to indicate that I think that the—clearly, the message has to be consistent; that if there is a crime, there needs to be accountability and responsibility. If we don't do that, I think we lose the entire purpose of the criminal justice system. However, I wonder—I know that the numbers of Federal gun prosecutions are very, very low. I have had several incidents in Marquette where guns have been present in schools. My office has dealt with those, because in each case those have been juveniles, and, frankly, the Federal system simply does not have the ability to—

Mr. BARR. Excuse me, Mr. Walker. I have been very, very nicely admonished by the chairman that we have votes on the floor, and I know that we have one other member that might have a quick question. I appreciate very much what you are saying. I am sorry we don't have the time to go into it as well as Chief Greenberg and Dr. Sherman, I enjoyed your comments. I think they are very, very appropriate, and if you all have any additional information, I would welcome it both personally and I know the chairman would also, to assist us in our work.

Mr. MICA. I would like to thank you. I appreciate your willingness to yield.

Mr. Tierney, you are recognized.

Mr. TIERNEY. Thank you, Mr. Chairman. Thank you, Mr. Barr, and thank you, gentlemen, for your testimony.

Mr. Condon, let me ask you, it seems to me from looking at your testimony, that you are not particularly pleased with the Federal Government money that comes together with any direction. Is that a fair statement?

Mr. CONDON. Well, maybe you can educate me. I have dealt with Federal grants and received Federal grants, and it seems to me there are so many strings and paperwork attached that I think, "Gosh, do I want to do this?" I understand you have a block granting process.

Mr. TIERNEY. No, no, I hear what you are saying, I just wanted to make that clear. I am looking and the information tells me that South Carolina has run a surplus in its State budget this year? And run a State surplus in the last couple years? Is that right? I mean, you are there in South Carolina; I am not.

Mr. CONDON. I think South Carolina, like most States, is running surpluses now.

Mr. TIERNEY. So, why don't they spend their money on a particular need and just keep the Federal Government out of it altogether?

Mr. CONDON. Well, with all due respect to the Congressman, it is our money, too, that you have got.

Mr. TIERNEY. Well, it is, but I am saying if you think that the local folks could do a better job with it—that is surplus money—then you people won't have to pay as much in Federal taxes.

Mr. CONDON. Well, I would be in favor of tax cuts, but, as far I can tell, it never happens up here, and since you are going to spend it—aren't you going to spend it?

Mr. TIERNEY. Well, I suspect that if there are needs, then we are going to spend it, but you have got to tell me you can take care of this particular need with your own money you have got sitting around down there.

Mr. CONDON. Well, I think you all have got money sitting around, with all due respect, and I—

Mr. TIERNEY. Let us just stay with the money that is sitting around in South Carolina. You are going to have a surplus. Why not apply that to an area where you think that the Federal strings are too restrictive?

Mr. CONDON. Well, we are, in fact, arguing for that, and it is falling upon some deaf ears.

Mr. TIERNEY. Well, I hope you win.

Mr. CONDON. But if you don't spend the money—

Mr. TIERNEY. Let me ask another question.

Mr. CONDON. If you don't spend it, please reduce our taxes, but if you do, what I am saying is send it to us—

Mr. TIERNEY. Well, I can tell you this: we will spend it where we think it is going to do some good.

Mr. CONDON. Oh, I know you will.

Mr. TIERNEY. But it is interesting to know that if you have money sitting around, I would like to hope that you might argue that people would apply it someplace where you are having a problem taking the Federal grants.

Mr. CONDON. But, tell me, with the block grants—

Mr. TIERNEY. I am going to keep asking the questions, because I have limited time, and we do have to vote.

Are any of you gentleman advocating that guns in schools are a good thing?

Mr. WALKER. No, sir.

Mr. GREENBERG. Absolutely not.

Mr. TIERNEY. Why is that, if I can ask the Chief?

Mr. GREENBERG. Well, there is no legitimate function for guns in the education environment—in secondary schools or other schools. A place where alcohol is a chief item for sale, or a school or someplace like that, then guns should not be in the hands of anybody. You might have an ROTC Program where people have rifles that have been deactivated for ceremonial-type purposes and flag presentations and that type of thing, but other than simply the shape of some of those types of weapons there is no reason why anybody should have a gun. No student, no teacher, principal, or anybody else should have a firearm in any kind of school environment.

Mr. TIERNEY. Mr. Walker, do you have a comment on that, what the danger of having guns in schools is?

Mr. WALKER. Well, obviously, guns are dangerous instruments. We don't have them in our schools; we don't bring them into our courtrooms; I doubt if you allow them in here.

Mr. TIERNEY. But we do allow them in our homes, I guess, is that it?

Mr. WALKER. We do.

Mr. TIERNEY. I don't have any other questions.

Mr. CONDON. There is one exception, of course, with the school resource officers. Columbine wished they had a heavier gun—the officer that was there.

Mr. TIERNEY. Thank you.

Mr. MICA. I thank the gentleman.

We are going to recess until 2 o'clock. We have three votes, which will take a series of time. That will give folks an opportunity to refresh, get a bite to eat, and we will reconvene at 2 o'clock.

[Recess.]

Mr. MICA. I would like to call the Committee on Criminal Justice, Drug Policy, and Human Resources back to order.

I appreciate your patience. The votes lasted a little bit longer than we expected and we hope to have some members join us, but we do want to continue with our third panel.

Our third panel today consists of school administrators, teachers and a representative of a school counseling association. So, we would like to welcome those panelists.

Those panelists are, first of all, Ms. Jan Gallagher, president elect of the American School Counselors Association; Mr. Bill Hall, superintendent of the Volusia County Public Schools in Florida; Dr. Gary M. Fields, superintendent of the Zion-Benton Township High School in Illinois, and then Mr. Clarence Cain, teacher with Crisis, a Resource Program in Maury Elementary School in Alexandria, VA, and I think you have two assistants with you. Would you introduce those individuals, please, for the subcommittee?

Mr. CAIN. Yes, sir. On my immediate left, this is Anthony Snead and then Jeffrey Schurott. They are officers of the BRAG Corps at George Mason Elementary.

Mr. MICA. And are they going to testify, too?

Mr. CAIN. They are prepared to do so.

Mr. MICA. OK, well, we are going to have to swear them in and the whole panel in. As you have seen, this is an investigation and oversight subcommittee of Congress, and we do—to the young men, we do administer an oath, and you have to tell the truth before this panel of Congress and affirm it in public here.

But I would like to welcome all of our panelists, and when we do testify, we will try to limit our time to 5 minutes, and you can—as I informed the other panels—submit additional lengthy testimony or background information for the record.

If you would please stand and raise your right hands.

[Witnesses sworn.]

Mr. MICA. All of our witnesses answered in the affirmative, and again I would like to welcome each of you and first recognize Ms. Jan Gallagher, president elect of the American School Counselor Association. Welcome, and you are recognized.

STATEMENTS OF JAN GALLAGHER, PRESIDENT ELECT, AMERICAN SCHOOL COUNSELOR ASSOCIATION; BILL HALL, SUPERINTENDENT, VOLUSIA COUNTY SCHOOLS, FLORIDA; GARY M. FIELDS, SUPERINTENDENT, ZION-BENTON TOWNSHIP HIGH SCHOOL, ILLINOIS; CLARENCE CAIN, TEACHER, CRISIS RESOURCE, MAURY ELEMENTARY, ALEXANDRIA, VA; ANTHONY SNEAD, OFFICER, BRAG CORPS, GEORGE MASON ELEMENTARY SCHOOL; AND JEFFREY SCHUROTT, OFFICER, BRAG CORPS, GEORGE MASON ELEMENTARY SCHOOL

Ms. GALLAGHER. Good morning. I am Jan Gallagher, president elect of the American School Counselor Association, and I ask that my testimony be placed in the record.

Mr. MICA. Without objection, the entire statement will be made part of the record.

Ms. GALLAGHER. First, let me say that all students have a fundamental and immutable right to attend school without the fear or threat of violence, weapons, or gangs.

My opening statement is the official position of our association, which represents the 90,000 professional school counselors across the Nation. I firmly believe that we must make our schools safe. I have 35 years of experience in an urban, low socio-economic, minority school district in San Antonio, TX in which we had to deal with violence, weapons, and gangs. I know that there are ways to prevent or lessen violence in our schools.

Example—I was trained in 1993 by the Department of Justice in gang preventions and interventions, and, as a result of that training, we put into place an early identification procedure for parents and teachers to help recognize the warning signs of troubled youth.

Five years ago, we established in our school district, a mandatory 16-hour family counseling program for students who were suspended or expelled from school. This program was for them and their families, and over 700 families, to date, have been served. As a result of this program, we have had no repeat offenders. District drop out rates have been reduced; incidents of violence have been severely curbed; and I have written a crisis manual that has been used as a model in other school districts in Texas. I guess you could say that I know violence up close and personal; and I know that there are ways to combat it.

Safe schools are essential to an efficient and effective learning environment and necessary for our quality schools. If there is a threat to safety—when there is a threat to this safety due to the rapid increase of violence, weapons in schools, and gangs in our schools—then we need to provide a safe school environment recognized by parents, students, staff, administrators and other school personnel, legislators, and the community-at-large.

Reactions to increased violence that you have seen in the past few weeks have been strong. The cry is loud and clear—the situations must be prevented and schools must be the safe, peaceful environments they were intended to be. I can think of no better trained or skilled group to assist and to be part of this prevention program in violence than school counselors. School counselors have the same Master's level degree program for training as mental health counselors in community agencies as well as having specialized courses on human development. We know and we believe that early identification and intervention for troubled youth is essential.

We also know that there are things that can be done in the classroom. For example, ASCA, the American School Counselor Association, has partnered with State Farm Insurance and the National Association for Elementary School Principals to produce "Creative Differences." This is a program that helps young students to understand and manage emotions, develop basic social skills and emotional tools for appropriated responses, and to learn and practice productive and peaceful strategies for dealing with conflict. It allows them to build a community within their classroom, and through the generosity of State Farm, this is free to any elementary school. Elementary school counselors team with classroom teachers to help all young people deal with anger and frustration appropriately. Some students will be identified as needing more help in controlling their anger; and by working with parents, this can be done in small group counseling sessions or in individual counseling. Professional school counselors have the knowledge and the skills to implement this program.

Of course, it would be a great world—it would be wonderful—if all the children developed these skills in elementary school. However, we all know that the lessons of life are repeated at each developmental stage, and as children enter adolescence, they turn to their peers for acceptance and support. An efficient strategy often used by middle counselors at the middle school level is the training of peer mediators. This is a proven, effective program to help diffuse potentially violent situations. Peer mediators are trained to recognize situations which need to be referred to counselors. High schools often continue peer mediation programs that began at the middle school level, but they add programs, such as peer assistance leadership. All of these, as Mr. Cummings spoke about, are programs that need to be highlighted and to be recognized as successful intervention strategies.

Today, we are here to question and examine the problem of violence in our schools. We are here to seek solutions, and the solutions aren't a quick fix, but are solid developmental strategies that should have a lasting effect. Realistically, there will be students who get into trouble and who need additional help. Professional school counselors working as team members with students, teachers, parents, administrators, other support personnel, and school communities are the people who can do this. They are in-school staff members who have the skills and training to assist in prevention and intervention; and they do this through developmental comprehensive counseling programs, which are designed to meet the needs of all students so that they can peacefully and successfully meet the challenges in our society.

The problem is this: the national ratio of school counselors to students is 1 counselor to 513 students, and that is lucky in some places. This is more than twice the recommended ratio of 1 to 250. There are many elementary schools that have no counselors. Some elementary counselors serve as many as five schools and thousands of students. Secondary counselors are burdened often with administrative tasks, such as scheduling and achievement test administration. We need more school counselors, and we need to ensure that they are providing direct services to students and not being used in other ways.

Where will these counselors come from? Well, many of them are right now in your classrooms teaching. They were cut from school budgets as counselors, and some are there because there were no counseling positions. Some are there because there is no economic advantage to becoming a counselor. Certified school counselors who have not been practicing will need staff development to upgrade their skills. To meet the national demand, we will have to provide training. There will need to be incentives to lure college graduates into counselor preparation programs, particularly minorities. We need to look for model programs that are successful, and we need to replicate those, and we have to start now, because we can't wait for another Paducah, Jonesboro, Springfield, Littleton, or Atlanta. The next tragedy may be in your hometown.

[The prepared statement of Ms. Gallagher follows:]

ASCA

American School Counselor Association

TESTIMONY DELIVERED BEFORE THE GOVERNMENT REFORM SUBCOMMITTEE FOR CRIMINAL JUSTICE, DRUG POLICY AND HUMAN RESOURCES.

May 20, 1999

Jan Gallagher, M.Ed., LPC
President-Elect American School Counselor Association

All students have a fundamental and immutable right to attend school without the fear or threat of violence, weapons, or gangs.

Good morning. I am Jan Gallagher, president-elect of the American School Counselor Association (ASCA). My opening statement is the official position of this association which represents the 90,000 professional school counselors across the nation.

I firmly believe that we must make our schools safe because I have 35 years experience in an urban, low socio-economic, minority school district in San Antonio, Texas, in which we had to deal with violence, weapons, and gangs. I also know that there are ways to prevent or lessen violence in our schools. For example, I was trained by the Department of Justice in gang prevention and interventions in 1993, and as a result of that training, put into place early identification procedures for parents and teachers to help recognize the warning signs of troubled youth. Five years ago, I established a mandatory 16-hour family counseling program for suspended and expelled students and their families. Over 700 families have been served. I am proud to say that, as a result of this program, we have not had one repeat offender. District drop-out rates have been reduced and incidents of violence have been severely curbed. I have written a crises manual that has been used as a model in other school districts in Texas. In other words, I know violence up close and personal and I know that there are ways to combat it.

Safe schools are essential to an effective learning environment and necessary for quality schools. There is a threat to this safety due to the rapid increase of violence, weapons, or gangs in the schools. The need to promote and provide a safe school environment is

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recognized by students, parents, staff, administrators, other school personnel, legislators and the community at large.

Reactions to increased violence have been strong. The cry is loud and clear that these situations must be prevented and that the schools must be safe, peaceful environments. I can think of no better trained and skilled group to assist in programs of violence prevention and intervention than professional school counselors. School counselors have the same master's degree level core training as mental health counselors in community agencies as well as specialized courses on human development.

We believe in early identification and intervention for troubled youth and prevention programs for all students. For example, ASCA partnered with State Farm Insurance and the National Association for Elementary School Principals to produce Creative Differences, a pro-social approach to conflict resolution for grades K-6. This program helps young students to understand and manage emotions; develop basic social skills and emotional tools for appropriate responses; and learn and practice productive and peaceful strategies for dealing with conflict. Through the generosity of State Farm Insurance, it is free to any elementary school. Elementary school counselors can team with classroom teachers to help all young people deal with anger and frustration appropriately. Some students will be identified as needing more help in controlling their anger. Working with parents, this can be done in small group counseling sessions or individual counseling. Professional school counselors have the skills and knowledge to implement this program.

It would be a wonderful world if all children developed these life skills in elementary school. However, we know that the lessons of life must be repeated at each developmental stage. As children enter adolescence, they turn to their peers for acceptance and support. An effective strategy often used by school counselors at the middle level is the training of peer mediators. Peer mediation has proven to be effective in defusing potentially violent situations. Peer mediators are trained to recognize situations which need to be referred to the counselor. High schools often continue the peer mediation programs begun at the middle level and add programs such as the Peer Assistance and Leadership (PAL). These are examples of successful prevention and intervention strategies.

Today, we are here to question and examine the problem of violence in our schools and to seek solutions. These solutions aren't a quick fix but they are solid developmental strategies that will have a lasting effect. Realistically, there will still be students who get into trouble and who need additional help. Professional school counselors, working as team members with students, teachers, parents, administrators, other support staff and school communities, are in-school staff members who have the skills and training to assist in prevention and intervention. They do this through developmental, comprehensive counseling programs designed to meet the needs of all students so that they can peacefully meet the challenges of our society. The problem is this: the national ratio of school counselors to students is 1:513, more than twice the recommended ratio of 1:250. Many elementary schools have no counselor. Some elementary counselors serve as many as five schools and thousands of children. Secondary counselors are often burdened with administrative tasks such as scheduling and achievement test administration. We need more counselors and we need to assure that they are providing direct service to students. Where will they come from? Many are in classrooms teaching. They were cut from school budgets as counselors. Some are there because there were no counseling positions. Some are there because there is no economic advantage in becoming a counselor. Certified school counselors who have not been practicing will need staff development to upgrade counseling skills. To meet the national demand, new school counselors will have to be trained. There will need to be incentives to lure college graduates into counselor preparation programs, especially minorities. We will need to look for model programs that are successful and replicate them. Finally, we must start now and not wait for another Paducah, Jonesboro, Springfield, or Littleton. The next tragedy could be in your hometown.

Jan Gallager, M.Ed., LPC
American School Counselor Association
801 North Fairfax, Ste. 310
Alexandria, VA 22314
703/683-2722

American School Counselor Association

THE SCHOOL COUNSELOR & THE PROMOTION OF SAFE SCHOOLS

AMERICAN SCHOOL COUNSELOR ASSOCIATION (ASCA) POSITION:
ASCA believes that students have a fundamental and immutable right to attend school without the fear or threat of violence, weapons, or gangs.

THE RATIONALE:
Safe schools are essential to an effective learning environment and necessary for quality schools. There is a threat to this safety due to the rapid increase of violence, weapons, or gangs in the schools. The need to promote and provide a safe school environment is recognized by students, parents, staff, administrators, other school personnel, legislators and the community at large.

THE PROFESSIONAL SCHOOL COUNSELOR'S ROLE:
It is the role of the school counselor to support programs and provide leadership that emphasizes prevention and intervention related to violence, weapons and gangs. Programs for students must be designed to teach nonviolent alternatives to resolve differences. Inherent in these programs is an emphasis on the teaching of communication skills, and, an awareness of and an acceptance of diversity. The school counselor encourages and supports the shared responsibility of ensuring and providing a safe school environment and the development of policies to support a safe environment.

SUMMARY:
ASCA believes that it is the right of each student to attend a safe school that provides opportunities for optimum learning in an environment that values and respects diversity and equity.

(Adopted 1994)

ASCA
American School Counselor Association

The Role of the Professional School Counselor

The professional school counselor is a certified/licensed educator who addresses the needs of students comprehensively through the implementation of a developmental school counseling program. School counselors are employed in elementary, middle/junior high, senior high, and post-secondary settings. Their work is differentiated by attention to age-specific developmental stages of student growth and the needs, tasks, and student interests related to those stages. School counselors work with all students, including those who are considered "at-risk" and those with special needs. They are specialists in human behavior and relationships who provide assistance to students through four primary interventions: counseling (individual and group); large group guidance; consultation; and coordination.

Counseling is a confidential relationship in which the counselor meets with students individually and in small groups to help them resolve or cope constructively with their problems and developmental concerns.

Large Group Guidance a planned, developmental, program of guidance activities designed to foster students' academic, career, and personal/social development. It is provided for all students through a collaborative effort by counselors and teachers.

Consultation is a collaborative partnership in which the counselor works with parents, teachers, administrators, school psychologists, social workers, visiting teachers, medical professionals, and community health personnel in order to plan and implement strategies to help students be successful in the education system.

Coordination is a leadership process in which the counselor helps organize, manage, and evaluate the school counseling program. The counselor assists parents in obtaining needed services for their children through a referral and follow-up process and serves as liaison between the school and community agencies so that they may collaborate in efforts to help students.

Professional school counselors are responsible for developing comprehensive school counseling programs that promote and enhance student learning. By providing interventions within a comprehensive program, school counselors focus their skills, time, and energies on direct services to students, staff, and families. In the delivery of direct services, the American School Counselor Association (ASCA) recommends that professional school counselors spend at least 70% of their time in direct services to students. ASCA considers a realistic counselor:student ratio for effective program delivery to be a maximum of 1:250.

Above all, school counselors are student advocates who work cooperatively with other individuals and organizations to promote the development of children, youth, and families in their communities. School counselors, as members of the educational team, consult and collaborate with teachers, administrators, and families to assist students to be successful academically, vocationally, and personally. They work on behalf of students and their families to insure that all school programs facilitate the educational process and offer the opportunity for school success for each student. School counselors are an integral part of all school efforts to insure a safe learning environment for all members of the school community.

Professional school counselors meet the state certification/licensure standards and abide by the laws of the states in which they are employed. To assure high quality practice, school counselors are committed to continued professional growth and personal development. They are proactively involved in professional organizations which foster and promote school counseling at the local, state, and national levels. They uphold the ethical and professional standards of these associations and promote the development of the school counseling profession.

(Approved April, 1999)

Mr. MICA. Thank you for your testimony.

Our next witness is Bill Hall who is the superintendent of schools in Volusia County, FL. I would like to, if I can, Superintendent Hall, go ahead and play the tape from Volusia County. I think we have a tape that we wanted to play.

[Videotape was played as follows:]

Every day, parents rely on school buses to take their children to and from school, but what should a safe ride be? It is now a violent fighting ground for many kids. Of course, the most important issue facing our school systems is a quality education.

But the challenge now seems to extend beyond the classroom and onto our roads and highways. Sterling Scott joins us now with a special report. Sterling.

Tonight, we are going to show you a new side of life at school, a side that many of us have never seen before. For the past 2 months, News Center 6 has been investigating violence on school buses. It is a dangerous situation that not only endangers the students but everyone on the roads and the passengers, as well.

These yellow buses have been safely taking kids to and from school for years, but for some students, the journey has become trips of terror. Class was over for the day, but one student still had another lesson to teach.

Shane's story: "He grabbed me by my throat and slammed me into a seat right next to him, and then he grabbed me out of the seat and threw me onto the floor and just starting thumping on me and throwing my head against the floor."

Shane says the bus driver didn't even try to stop the beating. "I don't know why. She just pulled over to the side and didn't say anything."

Shane's family believes the attack didn't have to happen. The boy who beat Shane was suspended earlier in the day for a previous bus incident and had threatened Shane, but Silverson School officials sent the fifth grader home on the same bus. Shane suffered permanent brain damage. Now, his father is suing the school board for negligence.

"You know, when I was a kid, I got picked on in school too, and I had the little scuffles and whatever, but what has happened here is total brutality."

This is a typical example of a Volusia County school bus. You can see mounted on the ceiling a camera which records all of the activity which takes place inside, and down below, a locked metal box contains a recorder which turns on automatically when the school bus is cranked.

As police and EMS arrived, the bus system recorded yet another driver's pleas for help as fights broke out on her bus.

Former bus drivers and educators in central Florida say bus violence is growing as fast as our population. We investigated further and found out that what happened to Shane was not an isolated incident.

Kimberly and her brother say they were repeatedly attacked on the bus. They say the driver ignored the violence, and they watched as she turned the bus camera off. "I was getting on the bus. He came into the seat in front of me and started pushing me."

"So, the bus driver didn't do anything to try to stop everything that was going on?"

"No, she said she did, but she didn't."

Kimberly's mother pleaded for help with school officials, but the attacks continued leaving her with one option. "I took my kids off the school bus 2 months out of the last school year and just had to, basically, carpool them back and forth just to protect them."

Now, Kimberly is out of the public system and is being home-schooled.

"I should be able to send my kids to school, and they should be able to come home without being afraid of just simply riding a school bus."

School board officials agree. "We do not want to have that type of behavior on our buses." That is Volusia County School's deputy superintendent, Tim Hewitt.

This is a situation that not only concerned the students and passengers on the bus but everyone that shares the road as well, and while most bus drivers work to maintain control are dangerous situations unavoidable? We will have more at 11. Live in Volusia County, Sterling Scott, News Center 6.

[End of videotape.]

Mr. MICA. That is a quite remarkable piece I hadn't seen before, but I would like to again introduce the school superintendent from one of the counties that I represent, Bill Hall. You are recognized, sir.

Mr. HALL. Thank you, Chairman Mica. It is an honor and a privilege to be here to address this subcommittee.

First, let me address the tape that the audience and you have just seen. We are not proud of those incidents, obviously, and we try everything that we can to avoid them. For example, all of our school buses—and there are 300 plus school buses—have video cameras on them. Next year, we plan to add bus assistants to every single bus.

In this particular situation, there is more to the story than what has been told. However, we are under a lawsuit, I have to be careful what I say, so I am not going to say much more than this: that incident could have been avoided if a different decision had been made somewhere along the line not to let that student ride that bus. That was a judgment call on the part of school officials. It is one that I have made before as a former high school principal. When you think you have things worked out. They are worked out with counselors involved, others involved, but it turned out to be a nasty situation, and it is one that we are not proud of.

Having said that, let me talk about violence in our schools. I have a written statement that I would like to be entered into the record and also my verbal comments.

Mr. MICA. Without objection, the entire statement will be made part of the record.

Mr. HALL. Thank you, Chairman Mica. Much has been said and written in light of the tragic events of past weeks. I will therefore keep my comments brief and share with you only what I consider to be the essential elements for school safety being employed by the Volusia County School District, in the State of Florida.

This fall, the Volusia County School District will open with approximately 60,000 students in 67 schools with over 8,000 employees. Although I feel that our schools are among the safest places to be on a day-to-day basis, no school, public or private, in America has been left untouched by the recent tragedy in Colorado. We have seen the effects on our students, teachers, parents, and community. This event, coupled with other sudden acts of violence across our country, remind us that no community can be complacent in its efforts to make schools safer.

Schools should be a safe haven free of violence and aggression for students and teachers. Schools have an obligation to teach and assist in developing responsible adults. To do so, students and teachers must be provided a climate for learning, one free of the fear of bullets and bombs. I propose to you this can only be accomplished with considerable effort and support from parents and our communities. Our approach must be multi-faceted, focusing on enhanced security and discipline. Without increasing our ability to identify and support troubled and disconnected youth, ignores our ability as adults to influence our children and to make a change in their behavior. This is not to say that there is no need for increased discipline and security. I am sure that the school districts across the Nation are reassessing their preparedness for violent acts as we are in Volusia County.

The Volusia County School District is currently involved in a district-wide safety and security certification process in order to ensure that each of the schools maintain a high level of security. In this process, schools are required to meet a set of standards divided into five categories covering student and staff protection and emergency situations. These standards were developed by the district's safety committee in concert with the Volusia County Sheriff's Department.

Compliance with certification is a three-step process. Schools must have a written procedure which adequately addresses the security standards. The appropriate staff must know the procedures, and the school must be observed being in compliance with those procedures. The process establishes a strong foundation on which individual schools can build a safe and secure environment. Certification of compliance with the safety standards begins this fall for all Volusia County schools, and, as a matter of fact, has already begun.

In developing security plans, it becomes obvious that schools require a close working relationship with law enforcement agencies. To further build on those relationships, our district staff participates in a statewide security organization. They also maintain weekly meetings with supervisor personnel for the School Resource Officer Program—and, by the way, we have school resource officers in every middle and every high school in this country; that is 21 SROs in our school system. In these meetings, personnel assess the risk individual students may pose as well as systemic issues.

Regarding school safety, there are issues with which Congress can assist local school districts. Districts need greater flexibility regarding the Individuals with Disabilities Education Act, or commonly known as IDEA. Currently, we have two separate systems of discipline for those who would disrupt and threaten a safe and orderly school environment. Students receiving special education services pose no less a threat than any other student when they demonstrate dangerous or disruptive behaviors. Where a non-special education student can be expelled for serious misconduct, consequences for special education students are greatly restricted, even when weapons are involved.

Although, technically, a special education student can be expelled, districts cannot cease special education and related services as defined by the student's Individual Education Plan. The cost and method of the individual delivery of such services prohibit many districts from removing special education students who have committed serious threats to school safety.

And I am aware that Congress is dealing with this issue as I speak, and there will be a vote on it at sometime in the future, and I do not want to place special education in a different category or say that it is something less than normal. I taught in special education for 2 years at the beginning of my career, and I have a special place in my heart for those students. However, we cannot have two separate discipline systems, and that is what has currently happened in every public school district across the Nation.

Safe schools must also have and use a full array of appropriate support services for students with special learning and emotional needs. These should be available in all schools and must be supplemented with services from other agencies, including mental health, child welfare, juvenile justice, and local law enforcement. I cannot stress enough, the community and the family must be partners in creating and maintaining safe schools.

Predicting a violent act is extremely difficult due to complex human variables. However, research has shown us that interventions are most effective when made early on and applied in a consistent manner. A number of professionals and publications have identified early warning signs for troubled youth. Recognizing these signs in our students is not a difficult task. However, most schools are not equipped to provide complex interventions. These interventions are particularly important when parents or guardians appear unconcerned with a child's behavior or risk indicators. Therefore, communities must come together to form coalitions to attack the problem of school violence.

In Volusia County, we are inviting community agencies and professionals, community leaders, and other interested citizens to meet with us to readdress and enhance our violence prevention plan. In our violence prevention plan, we continue to reflect the needs of teachers, students, families, and the community. The plan will continue to outline how our schools' faculty will recognize the behavioral and emotional signs that indicate a student is in trouble and what steps will be taken to assist the student. Our goal is to have improved access to a team of specialists trained in evaluating serious behavioral and academic concerns available to all schools. A tracking mechanism must be in place to monitor the student's progress and to assure availability and followup for all identified interventions. Classroom teachers will have the ability to consult with team members when they have a concern about a particular student.

Equally important, students must play an active role in the school's violence prevention program. We must break the code of silence which too often exists in our schools. Students should feel a sense of responsibility to inform someone if they become aware of another student who may carry out a violent act. They should not feel as if they are telling on someone but rather as if they have the responsibility to save others from injury or harm. Volusia County has recently expanded its confidential telephone reporting system in conjunction with the Sheriff's Department and the community. Our students must be encouraged to seek assistance from parents or other trusted adults if they are experiencing intense feelings of anger, fear, anxiety, or depression. Appropriate behavior and respect for others must be emphasized at all times by all staff members.

In closing, safe schools are places where there is strong leadership, a caring faculty, student and parent participation, and community involvement. With the absence of any one of these elements, we increase the odds for school violence. Keeping our children safe is a community-wide effort. Our common goal must be to create and preserve an environment where students truly feel part of our schools and of the greater community. Additional resources and not realigned resources must be made available to achieve our goals. We must try to keep students engaged and to reconnect with those who feel isolated and distressed. This responsibility must be assumed by all of us. Solutions to school violence cannot solely rest with our schools. It is a societal problem.

Thank you.

[The prepared statement of Mr. Hall follows:]

Remarks presented by Mr. William E. Hall,
Superintendent of the Volusia Count School District
Volusia County, Florida

To:
The Congress of the United States
House of Representatives
Subcommittee on Criminal Justice, Drug Policy and Human Resources

Good Morning, Ladies and Gentlemen. It is an honor and a privilege to address you this morning regarding school violence from the perspective of a school superintendent. Much has been said and written in light of the tragic events of past weeks. I will, therefore, keep my comments brief and share with you only what I consider to be the essential elements for school safety being employed by the Volusia County School District.

This fall, the Volusia County School District will open with approximately 60,000 students in 67 schools. Although I feel that our schools are among the safest places to be on a day-to-day basis, no school in America has been left untouched by the recent tragedy in Colorado. We have seen the effects on our students, teachers, parents and community. This event coupled with other sudden acts of violence across our country remind us that no community can be complacent in its efforts to make schools safer. Schools should be a safe haven, free of violence and aggression, for students and teachers. Schools have an obligation to teach citizenship and assist in developing responsible adults. To do so, students and teachers must be provided a climate for learning, one free of the fear of bullets and bombs. I propose to you that this can only be accomplished with considerable effort and support from parents and our communities. Our approach must be multifaceted. Focusing on enhanced security and discipline, without increasing our ability to identify and support troubled and disconnected youth, ignores our ability as adults to influence our children and to make a change in their behavior. This is not to say that there is no need for increased discipline and security. I am sure that school districts across the nation are reassessing their preparedness for violent acts, as we are in Volusia County.

The Volusia County School District is currently involved in a district-wide safety and security certification process in order to insure that each of its schools maintain a high level of security. In this process, schools are required to meet a set of standards divided into five categories covering student and staff protection and emergency situations. These standards were developed by the District Safety Committee in concert with the Volusia County Sheriff's Department. Compliance for certification is a three-step process. Schools must have written procedures which adequately address the security standards, the appropriate staff must know the procedures and the school must be observed to be in compliance with the procedures. The certification process establishes a strong foundation on which individual schools can build a safe and secure environment. Certification of compliance with the safety standards begins this fall for all Volusia County Schools.

In developing security plans, it becomes obvious that schools require a close working relationship with law enforcement agencies. To further build on those relationships, our district staff participates in a statewide security organization. They also maintain weekly meetings with supervisory personnel for the School Resource Officer program. In these meetings, personnel assess the risk individual students may pose, as well as systemic issues.

Regarding school safety, there are issues with which Congress can assist local school districts. Districts need greater flexibility regarding the Individuals with Disabilities Education Act (I.D.E.A.). Currently, we have two separate systems of discipline for those who would disrupt and threaten the safe and orderly school environment. Students receiving special education services pose no less a threat than any other student when they demonstrate dangerous or disruptive behaviors. Where a non-special education student can be expelled for serious misconduct, consequences for special education students are greatly restricted. Even when weapons are involved, districts are limited to a 45-day period of exclusion from their campuses. Although technically, a special education student can be expelled, districts cannot cease special education and related services as defined by the student's Individual Education Plan. The cost and method of the individual delivery of such services prohibit districts from removing special education students who have committed serious threats to school safety.

Safe schools must also have and use a full array of appropriate support services for students with special learning and emotional needs. These should be available in all schools and must be supplemented with services from other agencies, including mental health, child welfare, juvenile justice, and local law enforcement. I cannot stress enough, the community and the family must be partners in creating and maintaining safe schools.

Predicting a violent event is extremely difficult due to complex human variables. However, research has shown us that interventions are most effective when made early on and applied in a consistent manner. A number of professionals and publications have identified early warning signs for troubled youth. Recognizing these signs in our students is not a difficult task. However, most schools are not equipped to provide complex interventions. These interventions are particularly important when parents or guardians appear unconcerned with the child's behavior or risk indicators. Therefore, communities must come together to form coalitions to attack the problem of school violence. In Volusia County we are inviting community agencies and professionals, community leaders and interested citizens to meet with us to readdress and enhance our violence prevention plan. In our violence prevention plan we continue to reflect the needs of teachers, students, families and the community. The plan will continue to outline how our school's faculty will recognize the behavioral and emotional signs that indicate a student is in trouble and what steps will be taken to assist the student. Our goal is to have improved access to a team of specialists, trained in evaluating serious behavioral and academic concerns, available to all schools. A tracking mechanism must be in place to monitor the student's progress and to insure availability and follow-up for all identified interventions. Classroom teachers will have the ability to consult with team members when they have concerns about a particular student.

Equally important, students must play an active role in the school's violence prevention program. We must break the "code of silence" which too often exists in our schools. Students should feel a sense of responsibility to inform someone if they become aware of another student who may carry out a violent act. They should not feel as they are telling on someone but rather as if they have the responsibility to save others from injury or harm. Volusia County has recently expanded its confidential telephone reporting system in conjunction with the Sheriff's Department and the community. Our students must be encouraged to seek assistance from parents or other trusted adults if they are experiencing intense feelings of anger, fear, anxiety, or depression. Appropriate behavior and respect for others must be emphasized at all times, by all staff members.

In closing, safe schools are places where there is strong leadership, a caring faculty, student and parent participation, with community involvement. With the absence of any one of these elements we increase our vulnerability to school violence. Keeping our children safe is a community-wide effort. Our common goal must be to create and preserve an environment where students truly feel part of our schools and of the greater community. Additional resources, not realigned resources, must be made available to achieve our goals. We must try to keep students engaged and to reconnect with those who feel isolated and distressed. This responsibility must be assumed by all of us. Solutions to school violence cannot solely rest with our schools. It is a societal problem.

Mr. MICA. Thank you for your testimony.

I am pleased now to recognize Dr. Gary M. Fields, superintendent of Zion-Benton Township High School in Illinois. Welcome.

Dr. FIELDS. Thank you. I also have submitted a comprehensive paper.

Mr. MICA. Without objection, that will be made part of the record.

Dr. FIELDS. My comments will be different from that paper.

I would like to tell you a story about a high school of 2,100 students north of Chicago that was troubled; 5 years ago, we began a journey; 5 years ago, that journey was directed toward the basic mission of our school being safe, drug free with a discipline environment conducive to learning. That was our foundation for our academic improvement plan.

On April 21, I received telephone calls from three school board members. All three of them said, "Thank you." All three of them said, "I didn't agree we needed a full-time school resource officer. I didn't agree that we needed to bring drug-sniffing dogs into our high school. I didn't agree we needed a full-time safety coordinator, but, now, seeing what is happening in the rest of the country, thank you, because the plan that we have put in place in our high school has really made a difference."

I am proud to say that we have not, in our high school of 2,100 students, made any significant changes since April 20, and the reason is, we recognized the issues that we had to address 5 years ago. I am speaking to you as a superintendent or a high school principal with 30 years of experience in Wisconsin, Washington State, and Illinois. Our high school is very diverse. We have a number of kids who come from a very urban environment; others who come from suburban environments, but we are very, very different. And I am also speaking to you probably as a little different type of superintendent, because my office is right outside of the cafeteria in our high school, and in order for me to get out of my office, I have to walk through students all day long. The principal and I both have our offices in the same building with our 2,100 kids.

Thirty years ago, as a young high school principal in Wisconsin, I began to learn that just about every serious issue with high school students involved one common denominator—drugs. And, as I speak, what we know is that one out of every three high school students in this country is compromised by some use of a drug; one out of every three. The drug is either causing the problem, it is aggravating the problem, or it is interfering with the solution.

And I would say to you also that in 30 years as a principal or a superintendent, I have never prayed more; every night and every morning and as I speak right now that something won't happen in my high school. In fact, if nothing else happened as a result of Columbine, it has brought prayer into the public schools. My faculty prays every single day.

During the last 4 years, I have sat through 55 student expulsion hearings with our board of education; 45 for marijuana offenses. We have a true zero toleration policy, but we do not put students on the street. We do force accountability. Students are expelled, but they are allowed to come back under an Expulsion Abeyance Contract with only a portion of the expulsion being served. If it does involve drugs—most often marijuana—they must then be drug tested at parental expense at least twice a month with the results being released to the principal. I can probably tell you that we are graduating from high school young people who are drug free as a result of this policy, and it has made a difference in their lives.

But there is no one reason for this very difficult, complex situation. I personally believe marijuana is a key piece of the puzzle, if one takes a look at all the research and all the experience. But what we are all about is developing humane schools that are safe and drug free.

And let me talk just briefly about the funding. Our 2,100 students, this year, are supported by $12 per student of Safe and Drug Free Schools money, and next year we have been informed that they will be supported by $8 per student of Safe and Drug Free Schools money. That is the grant that we have written right now, and we use all of that money to support our full-time school resource officer. And, so anything else that we are doing is a diversion of local taxpayer funds, and, yes, I am forced and we are forced to write some competitive grants to get some limited dollars, but the amount of time that it takes to write those grants is very, very substantial.

Well, anyway, during the last 5 years, here is what has happened in our school. We have had 50 percent less student suspensions, 40 percent less fights, 56 percent less agitations to fight, 23 percent less tobacco violations, 36 percent less alcohol and drug violations, 64 percent less afterschool detentions, and 45 percent less in-school detentions. And this is because of the plan that we put in place 5 years ago.

Why have we changed? The No. 1 reason is school board policy. We have a very enlightened board. We have a superintendent and a principal who absolutely will not compromise our commitment to being safe and drug free. Second of all, our school improvement plan, the goal of which is academic improvement, begins with us being safe and drug free. And, as you know, one of our eight national goals is that schools would be safe and drug free with a disciplined environment conducive to learning. I would suggest to you that is the umbrella goal for all of the others; and, in fact, the evidence indicates it is the goal we are least succeeding at in this country. We put that umbrella over our school improvement plan.

I have heard today that we have to reduce student anonymity or school size. Absolutely, this is true. However, I am not suggesting every school in the country needs to do this. And, by the way, ours is a very comfortable high school. I look forward to coming to school every single day. I will take anyone through our building at any time, but every student in our high school for 2 years and every adult and every visitor wears an ID like this. We have not had a student in the last 2 years run from an adult in our building because of the ID policy. When you get on the bus in the school morning, you can't get on without your ID. The bus driver knows the students from day one. Substitute teachers know the students, and so the I.D. policy has really made a difference of eliminating anonymity.

Third, we have a very active student assistance program modeled after employee assistance programs. We have had 500 students in the last 4 years participate in one of our student support groups, including anger management. Every one of our drug groups has anger management involved, because they are inseparable.

Fifth, our staff. We have a full-time school resource officer and full-time safety coordinator and have for 5 years. Also, we have had extensive training for every one of our faculty members, for example, on gangs, and we put kids on gang prevention contracts. If they display any signs or symbols, their parents are brought in, and parents and kids sign a contract. Yes, we have kids in gangs, but the evidence during the school day is non-existent.

Sixth, we have strong parent and community partnerships. We have coalitions. We are into solutions, not blame. We have 50 members of our communities serving on the Coalition for Healthy Communities, of which I am the president. And also we have 1,100 of our parents join our parent network and have their names published in our parent network directory with a commitment to communicate knowing where their kids are, what they are doing, and who they are with. These partnerships are enormous.

And, I guess, No. 7 or 8—whatever that order is—it obviously involves leadership, and we don't need any funds for leadership. What we need is enlightened school administrators and school board members. We need training programs to convince those in leadership positions that there is no compromise. We will be safe and drug free; we will keep this message in front of our kids, in front our parents, in front of our communities. We will speak that issue every single time.

Finally, we are diverting local resources; there is no question about that. That is a concern, but I would leave you with a statement that we need to build comprehensive systems, because when we put good people in bad systems, the system always wins.

Thank you.

[The prepared statement of Dr. Fields follows:]

ORGANIZING AND LEADING SCHOOLS TO BE SAFE AND DRUG-FREE

Dr. Gary M. Fields, Superintendent
Zion-Benton Township High School District 126, Illinois

> *"There are two types of school administrators: those who have faced a crisis and those who are about to. No greater challenge exists today than creating safe schools. Restoring our schools to tranquil and safe places of learning requires a major strategic commitment. It involves placing school safety at the top of the education agenda. Without safe schools, teachers cannot teach and students cannot learn."*
>
> *Dr. Ronald D. Stephens*
> *Executive Director*
> *National School Safety Center*

Overview

Zion-Benton Township High School (Z-BTHS) is located in Zion, Illinois, a far north suburb of Chicago, adjacent to Lake Michigan, and just before the Wisconsin state line. A high school district with three separate and unique K-8 feeder districts, the diverse student body of 2,100 is approximately 68 percent Caucasian, 20 percent African-American, 9 percent Hispanic, and 3 percent other ethnicities. Approximately 50 percent of the students and their families live in an urban environment and one-third qualify for a free or reduced lunch. The students and their families at Z-BTHS are often characterized as a "slice of America." For many years the staff has had significant concerns about lack of student motivation, a high dropout rate, and poor standardized test scores.

Although historically Z-BTHS students have had many academic successes, there is also history of much concern about serious disciplinary issues involving as many as 25 percent of the student population. It would not be inaccurate to say that in 1994 two or three serious fights a week were not uncommon. Students wandered the halls without permission, and one department chairperson was authorized by the superintendent to conduct a faculty study entitled "Disorder in the Halls." Students commonly ran from teachers when efforts were made to correct hallway behavior. The smell of marijuana was present on a daily basis. The average daily attendance, a longstanding concern, was the second lowest in the county among high schools. A very hardworking faculty and staff tried day after day to correct student misbehavior. The four administrative disciplinarians (deans) were overwhelmed with student referrals. During 1994-95 alone, there were over 1,300 student suspensions. So much faculty and administrative time was being devoted to discipline and attendance that the primary mission of the school, improving academic achievement, was for the most part being ignored. There simply was not enough time or staff to coordinate a well-focused school improvement initiative to improve achievement.

Beginning in 1994 the superintendent, administrative team, faculty, and the board of education began to recognize that academic achievement was not likely to improve until a system was developed around one basic belief—that Zion-Benton Township High School must be safe and drug-free with a disciplined environment conducive to learning before the primary mission, improving academic achievement, could be addressed. School leaders embarked on a five-year journey to organize and lead the school, community, and parents to develop a comprehensive program that now, in 1999, has changed the climate of the school. Comparing 1994 to 1999, an analysis of disciplinary statistics reveals the following changes:

- 50 percent less student suspensions
- 40 percent less fights
- 56 percent less agitations to fight
- 23 percent less tobacco violations
- 36 percent less alcohol/drug violations
- 64 percent less after school detentions
- 45 percent less in-school detentions
- 53 percent less Saturday alternative to suspension assignments

These changes have not come easy. But, the staff, school board, and community of Zion-Benton Township High School is increasingly receiving much positive recognition throughout the area and state of Illinois because of the improvements. What has occurred is the development and organization of a system made up of many strategies and programs. This has not been a shotgun approach. The most gratifying result is that the school improvement planning process is now focused on achievement. And, initial evidence indicates that students are learning more. The dedicated staff, although still very tired at the end of the school year, is beginning to see results. It has been said that when you put "good people in a bad system, the system always wins." At Z-BTHS good people are now working within a system that has much promise.

Organization and Leadership

The following strategies, concepts or initiatives have been initiated during the past four years and have caused a challenging high school a great deal of optimism for future student achievement gains.

Leadership

The school board, superintendent, principal, and administrative team have united in a common mission to demand that the high school be safe and drug-free. There has been no compromise. School board support of administrative decisions has been 100 percent. Administrators and board members frequently make public speeches and statements guaranteeing parents and the community that there will be no compromise.

School Board Policy

The board of education has developed true zero toleration policies for drugs, weapons, gangs, and serious issues of violence. Violations always result in suspension, arrest, and possible expulsion. Of course, due process is followed for special education students. In 1994 the school board voted unanimously that any student possessing, under the influence of, using or

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distributing marijuana or any other illegal drug at school, on school property, or at a school activity be suspended, arrested, and face the board of education for an expulsion hearing. There has been no compromise. School board members have conducted 45 marijuana expulsion hearings in four years. Initially, there were no alternative placements. Students were expelled for a minimum of one semester, and often for a full year. During the past year a county alternative high school has been organized, and students who are expelled can apply to attend.

A unique policy, a Board of Education Expulsion Abeyance Contract, has proven to be particularly successful for students found guilty by the school board of a drug violation. Students are still expelled, usually for a calendar year, but most of the expulsion is held in abeyance if the student and his/her parents agree to the abeyance contract. Administered by the building principal, this contract requires the student to be drug tested at the local hospital twice a month at parent expense, with results submitted to the principal. The student must also perform 20 hours of community service, have no serious disciplinary infractions, complete makeup work, have no attendance violations, and successfully complete a student assistance program (SAP) support group which meets weekly for at least 12 weeks. If the student violates the contract, the principal notifies the superintendent who in turn informs the parents that the contract has been violated and the rest of the expulsion is implemented. This abeyance contract concept has proven to be very successful because of two key components—the hearing with and expulsion by the board of education and the required drug-testing.

Student Survey—Generation of Data

Zion-Benton Township High School administers a comprehensive survey to all 2,100 students every two years. This confidential, anonymous survey has many questions modeled after the annual Monitoring the Future Survey conducted by the University of Michigan and the National Institute of Drug Abuse. In addition, Z-BTHS asks many other questions. Data is disaggregated by grade, gender, ethnicity, etc., and results are widely publicized to students, parents and the community. Parents and the community have been very supportive of the survey because of the school's philosophy that "you cannot solve a problem unless you identify it and are honest about your challenges." Our most recent survey, administered in October of 1999, indicates a clear relationship between drug use and students engaged in violence.

Staffing

This has been a critical component. In 1995 the school employed a full-time Coordinator of Safety and Attendance. This person, a former juvenile probation officer, oversees a staff of 22 part-time paraprofessional supervisory aides. She coordinates security for all athletic events, student social activities, and oversees numerous school programs such as visits from drug sniffing dogs, required student IDs, screening all visitors to the building, etc.

Also in 1995, the board of education approved the employment of a full-time school resource police officer (SRO). With funding shared by the municipality and the school district, the SRO has become a full-time member of the faculty. His role is vital in investigating and preventing crime. But, even more important, is the trusting relationship that this police officer has developed with the student body.

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Parent Mobilization

Through strong administrative and school board leadership, Zion-Benton has developed a parent prevention and communication network envied by many throughout the country. Recognized during 1996-97 by the Illinois Drug Education Alliance (IDEA) as the Volunteer Program of the Year, parents of more than 1,100 high school students this year have signed an agreement whereby they are committed to a uniform statement of standards addressing the issues of tobacco, drugs, violence, sexuality, student attendance, adult role modeling, etc. Over 200 "how to" packets of information about the Zion-Benton parent network have been sent to interested schools and communities throughout the country. Of critical importance is that 40 to 70 parent leaders meet monthly to plan programs and to support the high school in a common mission.

Community Collaboration

With financial support from the local hospital, a community coalition, the Coalition for Healthy Communities, was organized in 1995. The steering committee of 50 community adult leaders has identified tobacco and drug prevention, as well as reducing teen pregnancy, as primary objectives. Three high school administrators serve on the Coalition's board of directors, and the high school superintendent has been elected president. Recently the Coalition was awarded a $270,000 three-year tobacco prevention grant.

The high school also actively works with several community service clubs and has forged a special relationship with the clergy. The high school administration sponsors two clergy breakfasts a year at the high school on regular school days and the annual community Labor Day prayer breakfast is held at the high school. Clergy have participated in school sponsored workshops on alcohol and other drugs and have become vital partners in all initiatives.

Gang Prevention

The school resource officer and a recently hired dean have become the in-house experts on gangs. Zion-Benton has a zero toleration policy for gang symbols, signs and activities. Staff is vigilant, and student violators and their parents are required to sign a gang affiliation prevention contract. If the contract is violated, students are sternly disciplined.

Student Assistance Program (SAP)

It is easy for any school to suspend and expel students and put them on the street. It is far more difficult to have zero toleration policies but also a helping component. The student assistance program at Zion-Benton Township High School has become a model throughout the state of Illinois. Two-thirds of the staff has participated in a full week of core training conducted by Gary Anderson, widely recognized as the father of student assistance programs. The concept is adapted from the EAP (employee assistance program) model used in the business world for many years. The EAP philosophy is that it is cheaper and better to help employees, rather than fire them. Likewise, in a school setting it is easy to "fire" students. What is needed is a helping component. In addition to the 40 hours of core training, 35 other Zion-Benton teachers have been trained to co-facilitate student support groups. During the past four years over 500 students either self-referred themselves to a support group or were mandated to attend. This faculty

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driven program, funded by grants, has become a vital part of how Zion-Benton does business. Included also is a recovery class whereby identified students enroll in a pass/fail class for elective credit on a daily basis.

Athlete Drug-Testing

In 1995, following extensive investigation, the faculty, coaches, parent network, and numerous community organizations strongly recommended that the board of education implement a random drug-testing program for athletes. Based upon the philosophy that drug-testing can be a parent and student assistance program, and that the best program desires to never catch an athlete, the program was implemented during the 1996-97 school year. To date over 800 student athletes have submitted to a urinalysis administered by hospital personnel at the high school during a regular school day. Best of all, only eight students have tested positive and seven student athletes have self-reported asking for help. Unbelievably, there has not been one criticism of any kind expressed to a board member, coach, or administrator about the drug-testing program. In fact, just the opposite has occurred. The parents, staff, community, and yes, many athletes, are extremely proud that Zion-Benton can prove it has one of the most drug-free athletic programs in the entire area. Because of the success of this program, many other schools are using the policies and procedures developed by Z-BTHS. Our belief is that a high school will never be drug-free unless there is first a commitment from our most visible role models, our athletes.

School Improvement Planning

During the spring of 1997 a volunteer leadership committee of 28 staff members, parents, and community leaders was organized for the purpose of developing and coordinating a school improvement plan. This group of leaders met 21 times and an impressive plan was developed. Unanimously, the committee has insisted that the initiatives for our school to be safe and drug-free continue without compromise. These leaders are convinced that being safe and drug-free is the foundation to improving academic achievement.

Student Activities

Like many schools, Z-BTHS has numerous extracurricular activities to help, recognize, and support students in terms of their being safe and drug-free. In addition to a large leadership network that meets regularly with the principal, Operation Snowball, Natural Helpers, and peer mediators, Zion-Benton has two unique programs. One is a Board of Young Adult Police Commissioners, a formal organization of 15 high school students, that serves in an advisory capacity to the local police department. Modeled after the only other program of its kind in New Haven, Connecticut, this board serves a very valuable role to the community and school. A second student organization, TATU (Teens Against Tobacco Use), has had its activities funded by the community coalition. This is a group of 50 high school students who have participated in special training and who are now conducting classroom activities helping to teach elementary children why they should not use tobacco. The initial positive results of this initiative are astounding.

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Miscellaneous Initiatives

Numerous other strategies are also occurring:

- All students and staff are required to wear a school provided ID badge every day and to present it for admittance at school activities.
- Student clothing—head covering is banned for students and adults at all times in the building. In addition, clothing that has anything related to alcohol, tobacco, drugs, gangs, etc. is banned.
- Drug sniffing dogs are brought to the high school three or four times a year.
- To prevent false fire alarms, commercial plastic boxes have been installed over all fire alarms, which require a double pull.
- Metal detectors are used for student social events.
- When serious disciplinary issues occur, rewards are offered to students who confidentially provide information resulting in the apprehension of the guilty party.
- The parent network in cooperation with the school staff sponsors many fun activities for students and adults. These include: an annual New Year's Eve party, a tailgate party before the first home football game, a 50s and 60s night, an adult float for the homecoming parade, a campus clean-up Saturday, etc. All of these activities have one critical component—adults modeling that they can have fun, and so can students, without alcohol or some other drug.

Transition from Eighth Grade to High School

Currently, the parent network is planning to expand to a grades seven or eight through twelve network. Empowered parents are increasingly saying that the high school initiatives must be spread to a lower level. Also, utilizing violence prevention grant funds, the high school sponsors an annual "Success Academy" each summer. All incoming ninth grade students, free of charge, are invited to a week of fun activities. In addition to orientation to the building, students are exposed to school policies, participate in workshops on marijuana and other drugs, get to know staff, participate in workshops on goal setting and technology, learn violence prevention techniques, participate in games, and receive t-shirts, awards, and of course, food. Now in its fourth year, statistics indicate that students who participate in the Success Academy are more successful during their freshman year.

Summary

Although proud of the efforts and successes, the board of education, administration, and entire staff remain constantly vigilant. The process of maintaining and improving the initiatives noted above continues. There are still serious student fights, but only three or four a year, rather than weekly. Zero toleration expulsion hearings do continue, but students who accept the expulsion abeyance contract are doing remarkably well. The halls and washrooms are under

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control. Seldom, if ever, is the odor of marijuana noticed during the school day at Zion-Benton Township High School. Respect for adults has improved drastically. And, most important, the primary mission of the school—improving academic achievement—is now possible.

> *"In this age of measurement, assessment and academic accountability, school systems plan for proficiency tests, while adolescents plan behaviors that put their—and others' academic futures and very lives at risk. . . . Before we address the proficiency test issues, we need to address the reality test. What good is a high SAT if you graduate with HIV? What good is a high GPA if you are high on THC? What good are courses that develop your head, if you are going to be dead? If adults fail the reality test, there is no need for a proficiency test."*
>
> *Stephen R. Sroka, Ph.D.*
> *Student Assistance Journal*
> *March/April 1999*

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Mr. MICA. Thank you for your testimony.

And now I would like to recognize Mr. Clarence Cain, a teacher with the Crisis Resource Program of Maury Elementary School in Alexandria, VA. You are recognized, sir, and you have a couple of witnesses with you.

Mr. CAIN. Thank you, sir. I am privileged to be here. I am honored to be here.

My name is Clarence Cain, and I am the crisis resource—one of the crisis resource teachers in Alexandria, VA.

I would like to start with a statement about what am I, because that greatly influences whether or not I am effective as a crisis resource teacher. Although public education is what I do, it is not what I am. I am a Christian. I belong to Jesus Christ in attitude and lifestyle. I aim to pattern my steps after His. I do what I do as I do because I am joined to Him, and I seek to give my time, talent, and treasure for one reason: Christ gave His life on behalf of mine.

And then I would like to state briefly strategies I employ on a daily basis. I pray for each child by name that I am dealing with, and this is done in my home. And then when I come to school, I maintain a calm demeanor and patience regardless of the incidents that I face. On a weekly basis, I employ the following crisis intervention strategies: small group isolation, behavioral journals, parent conferences, incentive plans, BRAG Corps—and I have two representatives here of the BRAG Corps—prosocial training, student contracts, home visits, lost privileges, non-violent restraints, final consequences, also rewards.

I am a Christian who is armed with compassion. I was inspired to be a teacher. It was not my plan. I had wanted to be a doctor, but my faith helped me to recognize the problem, and so I decided to give my time to children within the public schools. My greatest impact, however, is not made in the public schools; it is made after school and on the weekends where I am able to practice my faith as a Christian freely. I have no power of my own. The Gospel of Jesus Christ is the power of God to purge unrighteousness from the heart of any person or people. This is my conviction.

And then I want to share a story about a group of kids at the Fishing School in Northeast Washington that is off the A Street corridor. I had a group of children that were involved with me in Bible study. Tom Lewis is a retired police officer. He is the executive director. He saw me working out in the West Virginia wilderness with full love of children. My cabin was honored as the best cabin that week. So, he asked me to come and lead his program in Northeast Washingotn, DC. I told him the same thing, I had no power to change human behavior; that the only way I would accept the job is if he allowed me to involve his children in Bible study. He agreed. I set the Bible in front of these kids 5 days a week, Monday through Friday. At first, they left, but then they came back. One particular Saturday morning, some of them had come in and wrecked the place during a meeting with a potential donor. I asked the question: If Jesus had been there, would they have wrecked the place? I remember clearly never chastising. I didn't ask them to do anything. I returned upstairs, and after the meeting was finished, I came down and the place was spotless. A number of the kids within the same group a week later confessed Christ as their own personal savior. This story, and I have countless stories like this one, is really a prelude to the other reason why I am here and that is to share in brief detail what I believe the role of the Church is in terms of stemming the problem of violence or any other form of unrighteousness that is in our country.

I am a member of the Crossroads Baptist Church. To me, it is one of the greatest churches in America today. It has reproduced itself 11 times, and its ministries and programs are comprehensive. I will just name a few: Bible preaching, music, teens, prisons, military, death, children's church, child development center just to name a few.

It is my personal view that America has come to a place where children of all backgrounds are now at risk. Our country is eroding from within; violence and moral corruption are now threatening to bring this glorious empire to ruins. Unbelief and unrighteousness is effectively doing to America what the cold war could not. America's diseased and dying. We are experiencing a national crisis. To get well, I believe that America needs a large dose of churches like Crossroads Baptist. The American people, as any people, need to experience Bible salvation.

Religion and personal faith in Jesus Christ are not one in the same, and, with all due respect, religion crucified Christ. We do not need more religion. As I follow the news, few can argue with me when I say that some of the most violent nations in the world are religious. Real change begins within the heart. The Book of Proverbs says, "Out of the heart are the issues of life."

Today, American television is the mirror of our unrighteous indulgences as a society. Sin is still a reproach today. A white gown, fancy suit, college diploma, or fat bank account is no match for an unregenerate heart. Covetousness and evil desire threatens the very soul of this Nation, its people. Under Heaven, there is only one element I know of that personally cleanses the heart of man—the blood of Jesus.

We, the people of the United States of America, desperately need the blood of Jesus applied to each of our individual accounts. If that happens, our homes and our schools will change for the better. I am a living witness—early Americans knew it too. Remember the Bible schools of old? I believe a quality King James version education is still the greatest heritage we could give our children.

As a Nation, America stands to be blessed, as well. The Bible says, "Blessed is the Nation whose God is the Lord." That is the view that I believe—a prominent view that I believe the Church can play. I think that it has to be taken seriously what the Church and its influence can be on a family. Most of the problems that I experience in school have most to do with faith, have most to do with lack of values, has most to do with poor family structure, and there is only one person I know of who can influence that for the better, and that is my Savior, Jesus Christ.

[The prepared statement of Mr. Cain follows:]

Testimony of Clarence M. Cain

Crisis Resource Teacher

May 20, 1999

What I Am

Although Public education is what I do, it's not what I am. I am a Christian; I belong to Jesus Christ. In attitude and lifestyle, I aim to pattern my steps after His. I do what I do as I do because I am joined to Him. I seek to give of my time, talent, and treasure for one reason: Christ gave his life on behalf of mine. I am not the holiest of men, neither am I the best example of what a Christian could be. Nonetheless, this one thing I do know: Jesus Christ is my salvation and His sacrificial death and bodily resurrection secured heaven as my eternal home.

No Power of My Own

The gospel of Jesus Christ is the power of God to purge unrighteousness from the heart of any person or people. I have no power of my own to change human behavior. Let me illustrate: a group of hardened, difficult children studied the King James version of the Bible with me for six months. We studied every evening one hour or less at the Fishing School headed by Tom Lewis on Wylie Street in Northeast Washington . One Saturday morning, Tom and I met a potential donor for several hours on the second floor. The usual Art class had been cancelled accordingly. Some young people started streaming in a few at a time anyway until the noise level was too unbearable to continue meeting. I came down the steps briefly to quiet them. The place had been wrecked and the youngsters seemed customarily mindless of all we were teaching them. That moment, by God's grace only, I did not chastise and I certainly didn't ask this crowd to do anything. I did ask them one question. The question: If Jesus were here with you, would He have helped you wreck the place? I didn't wait for an answer. I went back upstairs fully expecting to clean up after the meeting ended. As we escorted the donor out, we found the place restored to order and absolutely spotless—even mopped. Finally, the transformation from within their hearts was underway. A short time later, several from among this group confessed Jesus Christ as their personal Savior.

Strategies I Employ

On a daily basis, I employ my **most effective** strategies:

1. Prayer for each child by name
2. Calm demeanor; patience

On a weekly basis, I employ the following **crisis intervention** strategies:

1. Small group isolation
2. Prosocial training sessions
3. Behavioral journals
4. Student contracts
5. Parent conferences
6. Home visits
7. Incentive plans
8. Lost privileges
9. BRAG Corps
10. Non-violent restraints
11. Rewards
12. Final consequences

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The Early Years

I began my professional teaching career in the fall of 1991. I've taught four years in Washington, DC and four in Alexandria, VA. My choice to enter the profession was inspired not planned. Armed with compassion, I was poised to make a difference. The early years produced results even I did not expect. Gregory, in third grade at the time was my first test. The principal even warned me about him during an interview ten days before school began. How could a seven year old be that bad? I thought. My first day on the job, several teachers told me to "watch out". Alarmed, I was determined to make Gregory an ally. Everyday that first week, I walked Gregory home and sat with him and his grandmother for thirty minutes. Each evening, I kept saying, Gregory would have his best school year ever. On Saturday, I took Gregory to lunch and a movie. In class, I discovered that my colleague's concerns were legitimate. Gregory was tough as nails, bulish, and mean. Every child steared clear of him. Even the six forth grade boys added to my class would submit to his will. There was one critical shift in Gregory's profile however, he was easy on me. He watched me like a hawk, did as I expected, and worked very hard. When necessary, he even settled the class down on my behalf. Gregory's reading level was not as proficient as his math skill, but Gregory had enormous pride and he became determined at least, to out work everybody. By January, Gregory had progressed enough to apply for and win entry into a Bethesda, Maryland private school. Amazingly, the one boy everyone was sure would ruin me was gone and soaring higher than anyone believed possible. Today, my success as an educator is inspired not planned.

Growing Responsibility

Year after year, I would receive an increasing number of Gregory prototypes. Some girls, some boys, some less industrious, and some even profane. In every case, there was a common denominator: high levels of anger. In DC, Gregory's success motivated me to shift compassion into over drive. A few examples: home visits to every home before the first day, a Labor Day back-to-school picnic--food and prizes at my expense, white-washing classroom walls with sky blue paint, soccer/movies on Saturdays; culminating with trips to IHOP and Sunday School with only the parent's weekly permission for their children to join me. Nancy, a student with a deplorable school history, responded to my compassion in a striking manner. Everyday, Nancy cursed me out in the most severe way. You can call it verbal abuse. I refused to send her home and I never did. One afternoon, Nancy bullrushed me and tried to strike me with her fists. By January, the school was prepared and ready to transfer Nancy to a school for children with behavioral disorder. I could not sleep the night before I was due to sign the papers, so I didn't. In tears, I explained every detail to Nancy. The next week, Nancy wore her first skirt to school and stopped playing football with the boys. Also, she stopped using profanity and started turning in all the assignments. By June 1994, Nancy was honored by the DC City Council as district four's Most Improved Student of the Year.

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The Role of the Church

The role of the church is absolutely implicit in the testimony I just told. However, let me tell you what role Crossroads Baptist Church is playing specifically already, before I tell you generally what role I believe the church should play. At Crossroads today, we're on a mission to see souls brought to Christ worldwide, but especially in black communities. Our method is to plant independent, fundamental baptist churches, headed by dynamic black preachers in every city and neighborhood across this nation. Crossroads Baptist Church has reproduced itself eleven times as of 1998. Our local ministries include: Bible Preaching, Music, World Missions, Singles, Teens, Prisons, New Converts, Military, the Deaf, Seniors, Children's Church, Neighborhood Busing, Family Outings, Retreats and Conferences, Full Service Day Care, and a Child Development Center. Plans are now in the works to build a school fully equipped to provide a quality Bible education to all comers from the cradle to the pulpit. On a daily basis, the offices and classrooms of Crossroads Baptist Church are filled with serious minded Christians who live to simultaneously make a lasting impact for Christ locally and globally. Why locally and globally? It is the mandate given by Jesus Christ to every true believing independent local church. The Bible believing community calls it the Great Commission. The membership of Crossroads Baptist Church takes it very seriously, none better than our pastor, Dr. Louis Baldwin.

America has come to a place where children of all backgrounds are now at risk. Our country is eroding from within. Violence, immorality, and corruption is now threatening to bring this glorious empire to ruins. Unbelief and unrightousness is effectively doing to America what the Cold War could not. America is deseased and dying. We are experiencing a national crisis. To get well, I believe that America needs large doses of churhes like Crossroads Baptist. The American people, as any people, need to experience Bible salvation. Religion and personal faith in Jesus Christ are not one in the same. Religion crucified Christ. We do not need more religion! As I follow the news, few can argue with me when I say: Some of the most violent nations in the world today are religious nations. The book of Proverbs says, "Out of the heart are the issues of life." Today, American television is a mirror of our unrighteous indulgences as a society. Sin is still a reproach today. A white gown, fancy suit, college diploma, or fat bank account is no match for an unregenrate heart. Covetousness and evil desire threatens the very soul of this nation: its people. Under heaven, there is only one element I know of personally that cleanses the heart of man: the blood of Jesus. We the people of the U.S. of America desperately need the blood of Jesus applied to each of our individual accounts. If that happens, our homes and our schools will change for the better. I am a living witness. As a nation, America stands to be blessed as well. The Bible says, "Blessed is the nation whose God is the Lord."

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Mr. MICA. Thank you for your testimony. Did these young men want to comment?

Mr. CAIN. They are prepared to respond to any direct questions you might have, and then they want to do a demonstration, as well.

Mr. MICA. We will ask some questions as we proceed here.

Mr. CAIN. OK.

Mr. MICA. We do want to keep the panel moving, and we are running behind schedule. I appreciate everyone's testimony today.

We have heard a number of recommendations here today, and I think that Superintendent Hall commented on the different standards that we have in schools with the 'DEA Program, special education students. You described two systems of discipline make it difficult to operate. I would imagine you are a strong advocate of some congressional change to these requirements. Is that correct?

Mr. HALL. Yes, I am.

Mr. MICA. And, specifically, how would we deal with this and still serve the needs of our special education students?

Mr. HALL. Well, Chairman Mica, as I said, disruptive behavior is disruptive behavior. Currently, the law allows me to expel a student or suspend a student, a special ed student, for up to 45 days if they carry a weapon to school. I think the new legislation would allow me to expel that student for much longer than that. If you and I were regular students and we carried a weapon to school, we would be suspended in the State of Florida for up to 1 full school year after the incident. That is not happening with special ed students.

Now, I don't want to dwell on special ed students, because they make up only about 10 percent of our student population, but the amount of problems that we have, particularly with emotionally handicapped students and severely emotionally handicapped students, puts us into a double-tiered discipline system.

Mr. MICA. Well, you said they only account for about 10 percent of our students, but what percentage of the problems are you seeing in the school system that they account for?

Mr. HALL. Approximately 40 percent.

Mr. MICA. About 40 percent. So you think you need a little bit more discretion and flexibility as far as imposing punishment and restrictions on them?

Mr. HALL. Yes, sir.

Mr. MICA. We have another superintendent, Mr.—I am sorry, Dr. Fields, what is your opinion on this?

Dr. FIELDS. I think we need more local autonomy. I was a director of special education for 2 years, and so I also have some background in that. And my recommendation would be that local school boards are charged with the responsibility of doing what is best for children, and when we are dealing with youngsters with severe behavioral manifestations, special education students, that local boards should have the autonomy to determine what is best for their own community.

Mr. MICA. Thank you. I think you also commented about some problems with funding limits and the hoops that you go through to apply for funds. You think we could administer Federal funding of these programs in some more efficient manner, and what would you recommend?

Dr. FIELDS. Well, No. 1, there need to be more. The second part of the problem is how it comes to us from the States, and I know every State is different; the requirements are different. But the fact of the matter is, as I said, $12 per students this year for Safe and Drug Free Schools money in our particular case. We don't spend any money on magic programs, and the kinds of statements that I heard this morning in terms of some of these kinds of things, I don't know anyone near us that spends money on those kinds of things.

The fact of the matter is, we need to have programs to intervene with students who have drug problems—and I mentioned the marijuana issue. It is so significant. If one really looks at marijuana and sat through 45 school board hearings, as I have, and sees the behavioral manifestations of those students, the dollars that we need, we shouldn't be forced, necessarily, to compete for, and if there are going to be dollars, they should be more entitlement dollars coming to us, and, again, there needs to be flexibility with those dollars.

But the grants and writing for those grants—and I looked at the booklet over here and the June 1 deadline, we simply don't have grant writers. Big districts can afford to hire grant writers to write those programs. We have got 2,100 high school kids, and if I don't write the grant, no one does. So, it is a difficult issue.

Mr. MICA. Thank you. And we have our two youngest witnesses, Jeffrey and Anthony. Can you quickly demonstrate for the subcommittee how your BRAG Program disciplines students? They have been waiting 5 hours to do this. [Laughter.]

We should give them both a medal.

[Demonstration.]

[Applause.]

Mr. MICA. Thank you. Thank you, gentleman, for showing us what you do in your program.

Maybe, briefly, Mr. Cain, you could just tell us the purpose of that exercise?

Mr. CAIN. The drill teams or the BRAG Corps is an acronym for Behavior, Respect, Attitude, and Grades. It is basically an afterschool club that works in conjunction with the classroom to help modify student behaviors if necessary. It actually originated in the District, in Washington, DC. It used to be—it is called in DC, the Gentleman's Club, and it is basically a club for black boys who cause problems in schools, and there is about 15 of them in DC today, and, from what I understand, where they exist, discipline problems are reduced by 90 percent. I started my career in DC and came across a gentleman who founded the program. His name is Leslie Newsome, retired as of today.

Mr. MICA. Thank you. I would like to yield now to Mr. Barr, the gentleman from Georgia.

Mr. BARR. Thank you, Mr. Chairman, and I appreciate the demonstration, Mr. Cain, as well as the explanation of the program. I also appreciate your references to God and Jesus Christ, and I appreciate the fact that you are not ashamed to say that in your personal life and in your professional life and obviously practice it, as well.

One of the things that hangs on the wall of our office in the building right next door is the Ten Commandments. There is no ode to wiccan. There is no statement of secular humanism or other of the movements that seem to be taking hold in our society, even on U.S. military bases. Now, the practice of witchcraft, wicca, is being allowed as a practice of a legitimate religion, under the guise of a legitimate religion, and officially sanctioned by our military. I also read that the movement called secular humanism, which also is an anti-God movement, is putting on a new face to make itself more presentable to young people on campuses and high schools. And these sorts of things simply illustrate the depth of the problem that we face.

I have never had anybody that has come into our office and felt intimidated because the Ten Commandments are there. We don't require anybody to pay homage to them. We certainly hope that all human beings adhere to them; they obviously don't. But it is not an intimidating document, and I am, of course, very distressed, as probably a lot of people are, perhaps, including some others on this panel, that for the past 38 years we have consciously sought to remove any vestige of religion from our public schools, and I think that was a very serious mistake, but there isn't much that we can do about it these days.

Just in Georgia, recently, students were denied at a graduation ceremony from even referencing God. It wasn't anything the school would have sanctioned. It was simply the students wanted to do that, and they were denied that opportunity. I sometimes think that if we had the Ten Commandments on more walls and more schools and public buildings, it might cause people to think a little bit more about what those things mean.

So, I appreciate the fact that at least you stepped forward and are not ashamed to say that, and you don't require other people to adhere to it, but I think by example it has a great deal of meaning to others, so I appreciate that very much.

I also appreciate—I think both Mr. Hall and Dr. Fields, in your presentation, you talked about the consistency of the way we treat students with the overriding goal being the protection of students against acts of violence in our schools. And, it seems to me that if we approach the problem of school violence from the standpoint that the primary responsibility of our schools is to, aside from teaching our children, to protect our students and teach them in an environment that is free from violence or the threat of violence against the students, that that leads us to a number of conclusions, one of which is that if students are found to cause acts of violence or to bring weapons on school property, the school administrators ought to have the power to remove those students and not be able to remove only those, for example, that don't claim that bringing that weapon on school is a manifestation of a disability or something.

And that gets us into the IDEA Program. I have legislation pending that, in so far as the IDEA Program, can and has been used as a shield behind which to prevent local school administrators from treating a student who claims an IDEA disability the same as another student when they bring weapons into the schools. It would level the playing field.

Do you think that this, Mr. Hall—would this be an appropriate step? It doesn't say anything about teaching students with disabilities. It simply says that there is an overarching concern here where you have students that bring weapons into the schools, that they ought to be treated the same. Whether they claim this was a manifestation of their disability or they don't, it poses the same threat to other students.

Mr. HALL. I think that is an appropriate step; yes, sir.

Mr. BARR. Dr. Fields, would you feel the same way?

Dr. FIELDS. Yes, absolutely. I used to use the term "common sense," and I have learned that there is no such thing as common sense. The common sense answer is, if a student is dangerous to others, that student cannot be there.

Mr. BARR. Would it be appropriate to ask our two young witnesses a question, Mr. Cain?

Mr. CAIN. Yes, sir.

Mr. BARR. And you can certainly put it in other words.

I would like to know—we talked before with the earlier panel about children paying attention to what happens in our society. Sometimes, I think we operate as if only we know what is going on, the adults. But I think students do pay attention, and if they see people being treated differently, people not being punished, whether it is a high political official, somebody at school, a movie star or sports star, children notice that. I would be interested in what your two witnesses, the two young men that are with you, whether they do pay attention to that sort of thing and whether it impacts them?

Mr. CAIN. These are two of my most articulate members. They are small and in third grade, but these are the sergeants of the BRAG Corps, so they are prepared to speak for themselves, if you will ask the question directly.

Mr. BARR. OK, if you two young men would tell me, if you see somebody who has done wrong, who did drugs, for example, or committed an act of violence and they are not punished, do you think that is wrong? Do you think everybody who does wrong ought to be punished the same?

Mr. SHUROTT. Yes, I think that they should all be punished the same because they all did that.

Mr. BARR. Do you agree, sir, the other young gentleman?

Mr. SNEAD. Yes, I do.

Mr. BARR. Do you all get good grades?

Mr. SHUROTT. Yes.

Mr. SNEAD. Yes.

Mr. BARR. Is that important also, to get good grades?

Mr. SHUROTT. Yes.

Mr. SNEAD. Yes.

Mr. BARR. Good. Well, I appreciate then—I know I probably can speak for the chairman too—we appreciate you all being here very much, and I appreciate all of the witnesses. All of these are important—what you all have been talking about are very, very important pieces of an overall solution.

Mr. CAIN. Sir, if I may, these are honor students. They weren't specific. They are honor students.

Mr. BARR. Well, I am glad you let us know that. Obviously, they don't go around wearing that on their sleeve, and I appreciate you telling us that. It makes them even more impressive.

Mr. MICA. Thank you so much for your testimony and participation, each and every one. We do try to build a record here, and we have a responsibility of oversight and investigation of the various Federal programs and how they are working, and we take your comments very seriously. So, if we have no further questions of this panel, we will dismiss at this time and thank you again for being with us.

Mr. CAIN. Thank you.

Mr. MICA. I would like to call our final panel, and we have two witnesses on that panel now. First, we have Mr. Kevin Dwyer, president elect of the National Association of School Psychologists, and then we have Mr. James Baker, executive director of the Institute for Legislative Action of the National Rifle Association.

If we could have our two witnesses please come up and join us, and, staff, if you could make certain that we have their proper identification.

Gentleman, as I mentioned before, this is an investigation and oversight subcommittee. I apologize for the late hour. We did have almost an hour of votes in between. So, we are running behind, but I do thank you for being patient.

If you wouldn't mind, could you please stand and be sworn in.

[Witnesses sworn.]

Mr. MICA. Again, I want to thank you, and if you have lengthy statements or documentation, we would be glad to put that in the record. I recognize, first, Mr. Kevin Dwyer, president elect of the National Association of School Psychologists.

STATEMENTS OF KEVIN DWYER, PRESIDENT ELECT, NATIONAL ASSOCIATION OF SCHOOL PSYCHOLOGISTS; AND JAMES BAKER, EXECUTIVE DIRECTOR, INSTITUTE FOR LEGISLATIVE ACTION, NATIONAL RIFLE ASSOCIATION

Mr. DWYER. Thank you, Mr. Chairman. It is wonderful that you are having these hearings and looking for information that is sound and based on research.

My name is Kevin Dwyer. I am a nationally certified school psychologist. I am president elect of the National Association of School Psychologists, representing the 21,000 members who serve in 15,000 school districts, in 85,000 public schools and 15,000 private schools across the Nation. We also serve in overseas and Defense Department schools, as well. We also provide services to children in the private schools, particularly children who have disabilities.

School psychologists are highly trained mental health behavioral and academic experts in both emotional and developmental learning.

I was a school psychologist for 31 years working in schools. I retired in 1993. I worked with about 10,000 youngsters. I am also the parent of seven children and I have eight grandchildren, and so I have a big investment in education and the future of education, as well.

The Federal role in helping communities to make schools safer and drug free and more conducive to learning should include technical support and resources for local schools to ensure that all children are healthy, ready to learn, and able to achieve their academic, physical and psycho-social potential as citizens in a democratic society. One of the ways to do this is through some of the programs that have already been discussed here today, and that is full service schools.

Full service schools, like Jesse Keen Elementary School in Lakeland, FL, are examples of how Federal funds have been successful in really helping schools locally. Federal funds are provided to schools through title I and also through some additional funds. In that school, it is demonstrated, with teacher and staff training, using theory-based, research-based practices, that children could be taught not only to read and write and problem solve but also to respect each other and respect their teachers.

Children are taught to think before they act; basically, to stop and think—which, by the way, is very hard to do in today's society since we teach kids through our media to be impulsive. Teaching children to stop and think before they act; to solve problems, and these children are held accountable for their actions. They are taught to make choices, and they are held accountable for their actions when they make bad choices.

The program has significantly reduced fighting, suspensions, costly grade retention, and the program has also reduced by almost 90 percent the number of students referred to special education, again, reducing costs.

The Federal role was carried out through legislation that supports prevention of behavioral problems through school-wide programs, and I think this is one of the things that we have heard in testimony a couple of times this morning and from Dr. Sherman. Programs that are successful are school-wide programs. Programs that are not successful are small programs that are attached to schools.

These coordinated programs are the most cost-effective when combined with interventions that focus on those children who need intensive help to address their serious emotional problems, as was talked about this morning by Dr. Chevez. And, by the way, the reality of the situation is that most emotionally disabled kids who need emotional and psychological help are not getting it. It isn't just that 60 percent aren't getting it; most of these kids aren't getting it, and they are not getting it intensively enough to make the difference.

I am also glad that this committee is asking: How do we know that programs work? Is there research data or significant field testing that proves the results are sustained over time? Are the programs family friendly, and are they culturally sound? Feel good programs with anecdotal data do not reduce violence or classroom disruptions, and this is something that really disturbs me. We continue to support programs that may make people feel good. They may look good even, but they don't necessarily have any results that show a dramatic change. Teachers and families, by the way, lose hope when programs fail. The longer a poorly treated problem persists, the more difficult it is to treat. It is like using a low dose of an antibiotic or the wrong antibiotic to fight a serious infection.

The child's disease becomes more resistant even to a good treatment.

The Federal role should be to ensure that local school communities are given the guidance—and this is important in terms of the discussion we have had so far in this committee—to recognize what is an effective program and what is not. Too many schools are reacting to the current rash of school shootings by buying a slick curriculum or a consultant or hardware that they have been told will make their school safe. Too much of this commercial material is unproven and ineffective. Metal detectors, school uniforms may be good, but they are totally unproven. We have no research data that shows that they work in reducing school violence.

Another thing I want to talk about is Medicaid. Medicaid, right now, is an available funding source that could provide local school systems finances to reduce the burden on local taxpayers by equalizing the funding of school-based services to children of poverty who could benefit from those services. When services are provided early in their natural setting in the school, they are shown to be much more effective. The Social Security Administration does not see "the medical necessity" and frequently invalidates the credentials of schools service providers. That is something that Congress could deal with and I think deal with effectively. I heard you talk about parity, which I think is another issue related to funding services.

The GAO Study in 1995, which was a report to Congress, reported what effective programs must look like. They must be comprehensive; they must start early; they must have strong management; they must use consistent disciplinary codes; they must provide teacher training, parent involvement, and interagency collaboration. This is the kind of program that project Achieve that Jesse Kean Elementary School I mentioned in Florida has.

Last, I would like Congress to think about providing ways to curb the exposure to overstimulating media that pushes many of our children to thoughts of violence and destruction. I believe also that we have a national responsibility that is seriously neglected and that is, the access of firearms in millions of our homes. Children, particularly those with impulsive or emotional problems, who have access to firearms, are a clear danger to themselves and others.

The United States leads the world in homicides and suicides of teenagers. Homicide and suicide are the major causes of death among adolescents in the United States, and firearms are the major weapon for those homicides and suicides. You have a 98 percent chance of completing a suicide with a firearm and an 8 percent change of completion when taking pills.

I think that we need to make certain that we don't allow access. I am not saying we do away with guns; I am saying we don't allow access of firearms to children. We have to do something about that. Access to firearms in the home is a primary difference between our country and the other comparable countries in the world. It is a difficult issue; it is not an easy issue, but it is one that we can't continue to ignore. And I am not saying that is the only thing we have to do. The thing that we really have to do is institute these comprehensive programs both in our school and our community. I totally agree with the responsibility concepts that have been discussed here today.

[The prepared statement of Mr. Dwyer follows:]

Testimony on

Creating Safe and Responsive School Communities

Kevin P. Dwyer, M.A., NCSP

President-Elect, National Association of School Psychologists

4340 East West Highway Suite 402

Bethesda Maryland 20814

301-657-0270

To the

Subcommittee on Criminal Justice, Drug Policy, and Human Resources

Committee on Government Reform

United States House of Representatives

May 20, 1999

My name is Kevin P. Dwyer. I am a nationally certified school psychologist and the president-elect of the National Association of School Psychologists representing over 21,000 members serving in the nearly 15,000 school districts across the nation, its territories and in our overseas Department of Defense schools. We also provide services to children in private schools for children suspected of having disabilities. School psychologists are highly trained in mental health, behavioral and academic, developmental learning.

The federal role in helping communities make their schools safer, drug-free and more conducive to learning should include technical and resource support to local schools to insure that all children are healthy, ready to learn, and able to achieve their full physical and psychosocial potential as citizens in a democratic society. Full service schools are critical in achieving this vision.

Full service schools, like the **Jesse Keen Elementary School in Lakeland Florida**, is one example of how federal funds are doing just that. Federal funds were provided to this Title I school to demonstrate that, with teacher/staff training and using theory based practices children could be taught to read, write, problem solve and respect each other and their teachers. Children are taught to think before they act, to problem solve and these children are also held accountable for their actions. The program significantly reduced fighting, suspensions and costly grade retention. The program has also reduced the number of student referrals for special education, again reducing costs.

The federal role was carried out through legislation that supports prevention of behavioral problems through school-wide programs and connections with other community services. These coordinated programs are the most cost effective when combined with interventions that focus on those who need intensive help to address serious emotional problems. Such services models that are coordinate services between school, health, law enforcement, social services should be supported by federal laws and appropriated resources. Furthermore, resources used for fragmented services, small quick-fix grant programs, should be channeled toward coordinated programs. Congress needs to ask:

> How do we know that this program works? Is there research data or significant field testing that proves the results are sustained over time? Are the programs family and culturally sound?

Feel-good programs with only anecdotal data do not reduce violence or classroom disruptions. In fact, there is some evidence that these unproven programs actually harm children by providing ineffective solutions for very serious problems. Teachers and families lose hope when programs fail. The longer a problem persists the more difficult it is to treat. It is like the resistance found when using a low dose of an antibiotic or the wrong antibiotic to fight a serious infection. The child's disease becomes more resistant to an effective treatment.

The federal role is to ensure that local schools and communities are given the guidance to recognize what is an effective program and what is not effective. Too many school systems are reacting to this current rash of school shootings by buying a slick curriculum or a consultant or hardware that they have been told will make their school safe. Too much of this commercial material is unproven in its effect-size in reducing school violence. Metal detectors and school uniforms may be good but they are generally unproven in making schools safer. In fact, most singular interventions that have been researched are only slightly effective and only for a few children. For example, social skill training alone for a specific grade level may have no measurable effect but the combination of consultation and teacher training in behavior management and early identification and referral of student academic and behavioral problems, with social problem solving skills taught throughout the school has strong positive effects on discipline and achievement. The federal role is to support effective programs, ensure that research is translated into practice and to help equalize the educational opportunity for all children.

Medicaid and the state children's health insurance program are other components in the federal solution to this long-standing crisis. Medicaid can provide resources to local school systems, reducing the burden on local taxpayers by equalizing funding of school-based services for children of poverty who could benefit from such services. Medicaid can pay for the psychological services to children and families. When services are provided early, in the natural setting of the school, they are shown to be more effective. Combined with intensive family treatment, these services have even been proven to positively change the behavior of even the most hostile, violent youth. The problem remains; that the Medicaid system is a maze of rules, allowing schools in one state to receive this funding for service while for another the Social Security Administrator does not see the "medical necessity" or invalidates the credentials of the school services. If the child had a physical disability that prevented them from learning it is universally considered a "medical necessity" but a childhood mental illness is not. Congress could fix this problem and reduce the progression of failure and potential violence related to such complex untreated emotional problems.

The National Institute of Mental Health has shown that there are several treatments that work to address serious emotional problems. Ongoing team consultation to teachers and families by professionals like school psychologists and other trained pupil service professionals, has also been proven to be effective in reducing disruption and pre-violent behavior problems in school. Yet few technical supports are provided to local schools to ensure that these services are available. According to reports from the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services, only one in four of these troubled children get services and the services they get are frequently "to-little-to-late" to make a difference. The report also notes that the large percentage of mental health services are provided in the schools. Yet the schools are not being reimbursed for these services. This is a particularly tragic problem in areas that have high poverty rates since data also shows that children of poverty have higher rates of emotional problems.

In 1995 the GAO reported that effective programs must be comprehensive, start early, have strong management, use a consistent disciplinary code, provide teacher training, parent involvement, be interagency and be culturally sensitive. Similar studies have reported the same components. Others include the policies and resources to sustain the efforts over time, to teach social competencies, clarify norms, teach behavioral thinking skills. The implication for a federal role therefore is to support legislation that will encourage the sustained efforts of several government agencies, working together to ensure that effective programs will be maintained over the next several decades.

Prevention also requires programs that address the academic needs of children through small schools and small class size. The chronic neglect of children whose parent(s) work long hours to provide basic needs has resulted in children raising themselves watching television or playing violent video games after school. After-school programs that are properly resourced, with trained personnel, can augment the instruction of the school day and increase academic and behavioral growth of "latch-key" children. However, such recreational programs must be structured or they will fail. Poorly organized and resourced recreational centers can become "hang-outs" for the recruitment of gang members and drug users. Schools could work with non-governmental organizations, business and the faith community mentors in providing effective after-school programs.

As I had mentioned, school teams of qualified professionals can favorably change school discipline. Federal support, seed money, could help more communities create such teams to secure the improved academic results we want for our children. The Institute of Medicine has recommended that schools have a ratio of one school counselor for every 300 children and one school psychologist for every 1000 children as well as one school social worker for 800 children. Today, the ratio for school psychologists, using the 20th Annual Report To Congress on the Individuals with Disabilities Education Act, is 1 to 2300. We can do better with the support of federal, state and local leadership. It is an investment in the future workforce.

Lastly , I would like the Congress to think about providing ways to curb children's exposure to overstimulating media that pushes thoughts of violence and destruction. I believe we have a national responsibility that is seriously neglected and that is the access to firearms in millions of homes. Children, particularly those that are impulsive, or emotionally confused who have access to firearms are a danger to themselves and others. Yet those same children are less dangerous without that access. Access to firearms in the home is the primary difference between our childhood mortality rates and those of other comparable countries. It is a difficult issue but one we cannot continue to ignore. Thank you.

Creating Safe and Responsive School Communities

The Context of *Early Warning, Timely Response–A Guide to Safe Schools*

The heretofore, unbelievable scenarios of violence and multiple deaths in school have made teachers, administrators, parents, and even children themselves believe that such a scenario is possible anywhere in the United States. Compared to other settings, in terms of physical safety, schools are safe places. Yet the multiple murders resulting from school shootings in Littleton Colorado this year and during the 1997-98 school year in West Paducah, Kentucky; Jonesboro, Arkansas; and Springfield, Oregon, have shocked the nation into the belief that schools are unsafe. In-school, multiple murders are a relatively new phenomenon, and many worry aloud that such shootings will increase in both frequency and magnitude. As school psychologist Scott Poland of the National Emergency Assistance Team stated in testimony before the U.S. Congress (April 28, 1998), "…schools can no longer question *if* a shooting will happen within their district, but *when* it will happen." Can we ensure that such horrors will not happen again? Most probably we cannot provide such an assurance. And I would caution the Congress and the people to think that anything we do could prevent another multiple murder in a school or a house of worship or any other place we have seen in the past as protected. Can we better determine who might commit violent acts before the act happens? Possibly. Can we make schools even safer (both emotionally and physically) more disciplined and more conducive to learning? Most definitely. Doing so, however, requires systemic reform to support the academic and psychosocial needs of *all children*.

All children includes children of poverty, children of color, children who speak another language, children with disabilities and, children who come to us who are defiant, impulsive, difficult and disrespectful. They are all our nation's children and they all can be educated academically and socially.

One piece of the federal response to the episodes of school violence[1] resulted in the production of *Early Warning, Timely Response: A Guide to Safe Schools* (Dwyer, Osher, & Warger, 1998) by the U.S. Departments of Education and Justice. It stresses the importance of prevention and suggests how schools that are academically responsive and pro-social contribute to the prevention of violence. Schools can prevent many forms of violence, as well as the less serious behaviors that can lead to violence, by providing a supportive school-wide foundation and by addressing early the academic and behavioral problems children present.

Defining the Problem of Youth Violence

Youth violence is not a school problem. It is a community problem, a problem for localities, states and the nation.

Community Rates of Youth Homicide and Suicide

Between 1950 and 1993, the national child homicide rate for all racial and ethnic groups tripled (Centers for Disease Control and Prevention (CDC), 1997). Suicide rates have also increased dramatically; for example, the male suicide rate for youth has risen from 8 8 per 100,000 in 1970 to 22.5 per 100,000 in 1995 (Anderson, Kochanek, & Murphy, 1997). There has also been a significant increase in the child murder and suicide death rate by firearms within our nation's communities, particularly in urban areas and among youth living in poverty. The overall homicide rate among urban, poor, black males is reported as 85.3 per 100,000, while the rate among white (primarily suburban) males was 7.5 per 100,000 (Furlong & Morrison, 1994). This dramatic increase from the mid part of this century to the current decade makes homicide and suicide the leading cause of youth death, surpassing even the death toll from automobile accidents (CDC, 1998). And the increase is related to firearms. The cause of death by firearms has risen 183% during this time period while other causes (such as lethal knife wounds) have risen less than 20%.

For too long, youth murder has been perceived as an "urban problem" that involves other people's children (see e.g., Delpit, 1995). Seen as an urban problem, particularly among the poor, who are disproportionately from racial and ethnic minorities, the problem has been historically marginalized (Sherblom, Tchaicha, & Szulc, 1995). Various prevention programs, service interventions, and community crisis responses in urban areas have made attempts to address the magnitude of this problem, but lack the support necessary to make their efforts maximally effective. Children of poverty in urban areas are far more likely to have witnessed a murder, heard gun shots, have a relative or friend who has been shot. Each of these children has a strong possibility to suffer from post-traumatic stress disorder causing anxiety, hypersensitivity, inattention and learning problems. A recent article in The Washington Post (May 15, 1999) written by Dale Russakoff, highlighted the serious neurobiological damage that can result from early childhood exposure to such violence. Mr. Russakoff noted that as many as 43% of urban poor in

Last year's multiple-victim shootings in rural and suburban schools graphically demonstrated that school violence cannot be viewed solely as an urban issue, but rather cuts across demographic and socioeconomic lines.

Child death-by-violence seems to be a uniquely American phenomenon--at least among economically developed nations. Calculating the total number of homicides in 26 comparable democracies, the Centers for Disease Control and Prevention (CDC, 1997) reported that the United States, accounting for 38 percent of the 26 nations' combined child population, contributed 73 percent of the total child homicide deaths in those countries. In fact, the United States has a child homicide rate twice that of the other 25 countries *combined*. With 33 percent of all adolescent deaths resulting from homicide or suicide, a national effort is necessary to reduce and prevent this tragic epidemic from continuing.

Homicides and Suicides in School

Few children and youth die violently while in school or going to and from school. While more than 11,000 children and youth between 5 and 19 died as a result of homicide or suicide during the 1996-97 and 1997-98 school years, only about one-half of one percent (30 in 1997-98) of all youth homicides and suicides occurred while at school (U.S. Department of Education, 1998). Statistics presented in the *Annual Report on School Safety 1998* (U.S. Department of Justice, 1998) show that while in-school fatalities actually decreased slightly since 1992-93, there has been an increase in the number of *multiple-victim homicides* at school. Two such shootings took place in 1992-93 and six in 1997-98; the number of victims increased from 4 fatalities in 1992-93 to 16 in 1997-98 (U.S. Department of Justice, 1998). These recent multiple-victim, in-school homicides have also involved Caucasian youth and have generally occurred in small towns or suburban communities, rather than in urban areas.

Could Episodes of School Violence Have Been Predicted?

It is easier to recognize behaviors that suggest a child is troubled than to predict that the child's behavior will lead to violence (White, Moffitt, Earls, Robins, & Silva, 1990). No single sign or set of early warning signs can accurately predict whether a child will be violent or not. Yet, for some children and youth a combination of traumatic events, history of poor behavior control, and heightened negative emotions may result in aggressive rage or violent behavior toward the self or others (Shields, Cicchetti, & Ryan, 1994). Children who become violent toward self or others frequently feel rejected and psychologically victimized (Guerra, Huesmann, Tolan, Van Acker, & Eron, 1995). Young children who respond aggressively, striking out at others early in life, are generally in greater danger of becoming progressively more violent (Olweus, 1980; Walker, Colvin, & Ramsey, 1995; Walker, Stieber, & O'Neill, 1990). Those young children who engage in delinquent behavior, or use drugs and alcohol before age 12, are most at risk when not afforded early effective, intensive, and sustained interventions (Walker et al., 1990; Walker, Steiber, Ramsey, & O'Neill, 1990).

Thus, while violence cannot be predicted in every case, students often exhibit warning signs that can serve as a red flag for school and community members that they require intervention into their troubles. Sustained school and family focused interventions, such as providing behavioral supports, skill training, and positive, meaningful connections to a consistent adult mentor, can effect positive change (Eccles, Wigfield, Buchanan, Reuman, Flanagan, & MacIver, 1993; Finn, 1989; Werner, 1989; Werner, 1993). The complexity of these issues suggests that simplistic or single-focus solutions for intense behavioral problems will fail. The question, then, is how **school-communities** [ok] can build their capacity to develop sophisticated and comprehensive approaches to the problem of school violence.

A Serious Federal Response

On June 13, 1998, in response to the recent school tragedies in Arkansas, Kentucky, and Oregon, President Clinton directed the U.S. Departments of Education and Justice to develop a guide for school communities to use to help "adults reach out to troubled children quickly and effectively." *Early Warning, Timely Response: A Guide to Safe Schools* (Dwyer et al.,1998) was the product of this Presidential request. It was prepared by the Center for Effective Collaboration and Practice of the American Institutes for Research in collaboration with the

National Association of School Psychologists with support from the U.S. Departments of Education, Health and Human Services, and Justice.

With guidance from an expert panel and federal officials the *Guide* was designed to help school-communities to better understand:

- *The nature of school violence:* That lethal violence is not increasing in schools; that schools remain safer than other places in the community; and that violence and hostility can be manifestations of troubled environments, troubled children, or their combination.
- *The importance of planning:* That school-wide primary prevention programs can reduce the likelihood of violence; that school-based problem-solving teams, addressing both academics and behavior, can decrease the disruptive behaviors that can lead to violence; that effective targeted interventions can address precursors to hostility and school violence; that crisis intervention plans and services are effective in reducing the negative results of trauma.
- *The importance of collaboration:* That families and youth must be partners at all levels of planning, development, implementation, and evaluation; that cultural diversity must be reflected in prevention, early intervention, and crisis intervention plans; that community violence requires coordinated community-wide efforts.

The eleven writers who drafted the *Guide* were drawn from and supported by a panel of 36 national experts (see Appendix A). In addition, a number of national associations and organizations (see Appendix A) were part of the review process, resulting in their endorsement of the guide for use by their constituencies.[2]

In the fall of 1998, the *Guide* was disseminated to every school and district in the nation and territories to assist them in the early detection of troubled children and the prevention of tragic events similar to those of the previous school year. The production and dissemination of the *Guide* was funded by the Office of Special Education Programs (OSEP) and the Safe and Drug-Free Schools Program, both of the U.S. Department of Education, and by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) of the U.S. Department of Justice. The production of the *Guide* demonstrated interagency, cross-stakeholder, and interdisciplinary collaboration that can be replicated (or adapted) at the local school-community level, as well as the district, county, and state levels. Specifically, it demonstrated the importance of federal interagency collaboration, in partnership with researchers, community representatives, students, and family members, in using resources to facilitate a national response to a critical social issue. The *Guide* provides each school community, public or private, with a structure that can be molded to each community's needs and resources.

Creating Responsive School-Communities: Recommendations from *Early Warning, Timely Response: A Guide to Safe Schools*

First, Do No Harm

In preparing a guide that would be sent to every school in the nation, members of the Expert Panel, as well as Secretary of Education Richard Riley and Attorney General Janet Reno, insisted that the *Guide* focus upon prevention and the fundamental premise that nothing in the *Guide* should harm or "label" any child. The concern with stigma is particularly important in light of state and national education, juvenile justice, and child welfare data suggesting that children of color are disproportionately targeted for restrictive placement and punitive disciplinary intervention (Community Research Associates, 1996; Hsia & Hamparian, 1998; Osher & Hanley, 1996; Skiba & Peterson, 1999; U.S. Department of Health & Human Services, Children's Bureau, 1997). In addition, the concern with overreaction is important as a reminder to practitioners that statistical data on groups only enhance our ability to predict outcomes among a percentage of the group, they do not predict an outcome for any one individual (Blalock & Blalock, 1970).

Characteristics of Schools that are Safe and Responsive to *All* Children

Another key focus of the *Guide* is to minimize risk through early and appropriate intervention. In the absence of appropriate interventions, students who experience or exhibit risk factors may experience an increased probability of school failure, involvement with the criminal justice system, and other negative outcomes. Yet the influence of risk factors can be countered by *protective factors*, such as school-community intervention programs, that address the strengths and needs of *each* child (Kazdin, 1993).

The *Guide* was developed to help school communities implement research- and theory-based plans to make all rural, urban, and suburban school-communities safer. Responsive school-communities are a requirement for school safety. These school-communities:

- Employ a three-tiered approach to prevention– universal schoolwide prevention, early intervention, and targeted intervention – to meet the behavioral and academic needs of all students;
- Collaborate as a team both within the school and between the school and community to prevent and address problem behavior and violence together;
- Implement effective policies that protect the right all students have to attend safe schools and support the provision of resources, training, and other requirements needed to achieve the goal of school safety.

This multi-layered approach to prevention and intervention, consistent with public health approaches to prevention, diminishes the probability and volume of troubling behaviors and provides a foundation to ensure effective responses to any school crisis that results from violence or other tragedies.

A Three-tiered Approach to Prevention and Intervention

Many schools that have effectively addressed problem behavior in their building and districts have done so through the use of three intensities of interventions (Walker et al., 1995; Quinn et al., 1998).

- *Primary prevention:* Ensure effective instruction and behavioral supports for all students;

- *Early intervention:* Provide more intensive intervention for students identified as being at risk for troubling outcomes or when children show signs of trouble; and
- *Targeted intervention:* Provide highly individualized and intensive supports for students with the greatest levels of need.

Each of these levels of intervention discussed below.

Primary Prevention

Effective and responsive schools prevent violence by ensuring that children receive the instructional and psycho-social supports that enable all students to succeed both academically and behaviorally (Haynes, Comer, & Hamilton-Lee, 1988). They emphasize teaching *all* children; individualizing instruction to account for the unique needs and cultural differences of *each* child, including those with disabilities; and remediating early academic and behavioral deficits (Comer & Woodruff, in press). Similarly, elementary schools that teach children to solve problems and to "stop and think" can reduce bullying in high school (Elias, Zins, Weissberg, Frey, Greenberg, Haynes, Kessler, Schwab-Stone, & Shriver, 1997; Batsche & Knoff, 1994). Finally, responsive schools respect diversity and teach tolerance. Effective schools support training for cultural competence, and develop and use curriculum and regulations that reduce potential bias.

Early Intervention

Research has documented a number of early intervention strategies that are effective in meeting the behavioral and academic needs of students with or at risk of developing behavior problems. For example, children from high risk environments can overcome adversity when they have the opportunity to develop a positive relationship with an adult who sustains that mentoring relationship (Garmezy, 1993; Blum & Rinehart, 1998; Epstein, 1994; Furtwengler, 1996; Werner & Smith, 1992). Furthermore, youth participation in extracurricular and other supervised, extended-day activities in school also can increase positive outcomes and possibly reverse the trajectory toward crime and violence (Walker, Colvin & Ramsey, 1995). Finally, responsive schools provide the climate for children to discuss their personal concerns and the concerns they have about friends, and about intimidation, bullying and stress. Connecting with trained and caring adult staff may be one of the more powerful factors in supporting resiliency (Bodine, Crawford, & Schrumpf, 1995; Kazdin, 1993).

It is important for responsive schools to report, monitor, and address the precursor behaviors and problems that may lead to violence. A frequent cause for conflict among students and between students and staff is perceived or actual bias that can result in bullying, rejection, or unfair treatment. Bullying can result in the escalation of violence by the victim against others (Batsche & Knoff, 1994). Effective schools share this information with families, students, and related community groups as an early step toward problem solving.

Early intervention should not wait until the start of school. School-communities must reach out to families even before kindergarten. Abusive violence, for example, can be reduced significantly when youthful mothers are provided with one-on-one child development information about normal development of infants and toddlers in a supportive and respectful manner (Carey, 1997). Children with poor social and behavioral skills can be identified as early as three years of age, and the earlier these children and families receive intervention, the more successful these efforts can be (Walker et al., 1995).

Targeted Intervention

Despite the success of prevention and early intervention efforts, research suggests that approximately 1 to 7 percent of students in our schools will have chronic problems with disruptive, destructive, or violent behaviors and will account for between 40 and 50 percent of the major behavioral disruptions at school (Colvin, Kameenui, & Sugai, 1993). For these students, a more targeted, individualized intervention into their emotional and behavioral problems is required.

Prevention and Intervention Approaches and Responses

School-wide systemic prevention is the foundation for any intervention approach (Curtis & Stollar, 1995; Hunter & Elias, 1998). School-communities traditionally begin to address problems after the problems have surfaced (Hawkins & Catalano, 1992). School-communities will never have the resources to continue this frequently unsuccessful, reactive model. To prevent illiteracy we teach reading early; to prevent social chaos and violent hostility we must teach social and behavioral skills to all children.

Social and problem-solving skill training, effective academic and behavioral instruction, caring faculty, effective leadership, family involvement, community support and other components of the responsive school are required to ensure that all children become literate and responsible. Principles for effective interventions include community coordination, family focus, cultural competence, and services that respect individual and family rights to privacy. Interventions must be easy to access, available early and they must be sustained, comprehensive, properly implemented and evaluated (Sugai & Horner, in press). Further, interventions should be based upon an ecological, functional, developmental analysis of the behavior to determine the course of action necessary (Skiba, Waldron, Bahamonde, & Michalek, 1998).

Both children at high risk and those with serious problems may require multi-systemic interventions. Psychological consultation and program interventions in school produce better student outcomes and less teacher frustration, as well as reduced costs and over-use of other community services (Adelman & Taylor, 1994; 1998). However, it is critical that such psychological and social-behavioral services are both connected to families and integrated into and supported by the school's staff.

A School-based Team Approach to Addressing Problem Behavior

Many schools that have successfully addressed their behavior problems have formed a core team to provide leadership and support to the entire school community, to model an effective problem solving approach, and to ensure that the approach chosen to address behavior problems remains both effective and consistent with the school's goals and climate (Curtis & Stollar, 1995; Quinn, et al., 1998). Such a team is composed, at a minimum, of an administrator, a teacher, and a professional skilled in the psychosocial, learning, and behavioral development of children (e.g., a school psychologist, social worker, counselor or other child mental health professional). This team can provide both systemic and child-focused consultation to staff, helping them address systemic factors affecting academic and behavioral standards and results, as well as to families. The team also provides, directs, and monitors interventions for children with or at risk of developing emotional and behavioral barriers to learning. Furthermore, the team can provide the facilitation of coordinated services for those children who need intensive, multi-systemic interventions. Such teams have been shown to have positive effects on outcomes for children with emotional and behavioral problems (Hoagwood & Erwin, 1997; Knoff, 1995a). The core team can help address both the troubled child and the troubling ecological factors within a responsive school to produce positive outcomes (Adelman & Taylor, 1994).

School-Community Collaboration

Even in communities plagued with serious violence, the school can become the focus for child and family safety by linking other services to the school, including after-school programs and daycare, and by providing the place where everyone concerned about children and youth can safely gather. Sheras, Cornell, & Bostain (1998) have shown that in communities where links are weak, the risk of school violence increases. In addition to the benefits to the students, schools, families, and communities that are measurable by the reduction of violence, research suggests that school-community, family friendly, coordinated services are also cost-effective (Woodruff, Osher, Hoffman, Gruner, King, Snow, & McIntire, 1999).

Prevention and Early Intervention at Work: Characteristics of a Safe Environment

The physical condition of the school building also has an impact on student attitude, behavior, and motivation to achieve. Typically, there tend to be more incidents of fighting and violence in school buildings that are dirty, too cold or too hot, filled with graffiti, in need of repair, or unsanitary (Dwyer et. al., 1998). Prevention planning starts by making sure the environment – the school campus – is a safe and caring place that communicates a sense of security. School officials can enhance physical safety by:

- Supervising access to the building and grounds (Stephens, 1994).
- Reducing class size and school size (Haller, 1992).
- Adjusting scheduling to minimize time in the hallways or in potentially dangerous locations. Traffic flow patterns can be modified to limit potential for conflicts or altercations (Nelson, 1996).
- Conducting a building safety audit in consultation with school security personnel and/or law enforcement experts (Cornell, 1998; Crowe, 1990). Effective schools adhere to federal, state, and local nondiscrimination and public safety laws, and use guidelines set by the state department of education (Knapp, 1996).
- Closing school campuses during lunch periods (Knapp, 1996).
- Adopting a school policy on uniforms (Murray, 1997; Stanley, 1996).
- Arranging supervision at critical times (for example, in hallways between classes) and having a plan to deploy supervisory staff to areas where incidents are likely to occur (Astor, 1996; Nelson, 1996).
- Prohibiting students from congregating in areas where they are likely to engage in rule-breaking or intimidating and aggressive behaviors (Nelson, 1996).
- Having adults visibly present throughout the school building. This includes encouraging parents to visit the school (Nelson, 1996).
- Staggering dismissal times and lunch periods (Steward & Knapp, 1997).

- Monitoring the surrounding school grounds-including landscaping, parking lots, and bus stops (Cornell, 1998; Steward & Knapp, 1997).
- Coordinating with local police to ensure that there are safe routes to and from school (Centers for Disease Control, National Center for Injury Prevention & Control, 1993).

It is also important for the school plan and policies to reduce other opportunities for inappropriate behavioral violence precursors such as a disorderly and undisciplined school or one that functions like a prison. Policies that prevent bullying or intimidation are proactive and improve discipline (Skiba, Peterson, & Williams, 1997). Plans are successful when they ensure that rules are clear, broad-based, and fair (Batsche & Knoff, 1995) and disciplinary procedures are developed collaboratively by representatives of the total educational community (Colvin, Kameenui, & Sugai, 1993; Colvin, Sugai & Kameenui, 1993; Gottfredson, Gottfredson, & Hybl, 1993; Hawkins, Doueck, & Lishner, 1988). Discipline procedures must be positive, consistently followed and communicated clearly to all parties. When negative consequences (such as withdrawing privileges) are used in discipline, they should be combined with positive strategies for teaching socially appropriate behaviors (Hyman & Perone, 1998; Rutherford & Nelson, 1995; Shores, Gunter, & Jack, 1993; Walker et al., 1995; Webber & Sheuermann, 1991). Along with school-community planning for the use of resources, for prevention, the discipline code and safety requirements, the *Guide* also provides the schools "Tips for Parents," "Action Steps for Students," and a "Crisis Procedure Checklist."

Warning Signs: Early and Imminent

The guide distinguishes between early and imminent warning signs. Early warning signs presented in the *Guide* are signs of a child troubled by factors that, left unaddressed, can cause academic, psychosocial, economic or physical harm. They provide an opportunity for an early and timely preventative response that will vary in intensity. Imminent warning signs are signs of danger that require immediate, intensive interagency interventions. They require an immediate response to insure the safety of all.

Early Warning Signs

The early warning signs noted in *Early Warning, Timely Response: A Guide to Safe Schools* are listed in Table 1. These signs are not equally weighted nor are they listed in any order of significance. Moreover, as emphasized by the *Guide* and by Secretary Riley and Attorney General Reno, these signs should be used as indications that a child is troubled, not necessarily violent—a point that will be discussed at length in the next section.

Imminent Warning Signs

Teams must look beyond frequency and intensity of warning signs. They are common but insufficient measures of problem behaviors for predicting violence. However, when connected to a *progressive* pattern – when depressive and angry feelings become behaviors and overt behaviors become frequent, more serious and hostile, pointedly directed toward parents, peers, staff or others – this intensity signals danger. Children and youth exhibiting such a pattern require immediate and multiple interventions that are of equal intensity to reduce the chance of tragedy and to ensure the safety of all parties. Interventions may include referral to law enforcement authorities and, when necessary, residential or hospital treatment. Imminent warning signs may include:

- Serious physical fighting with peers or family members (Green & Donnerstein, 1983; Lemerise & Dodge, 1993; Lochman, Dunn, & Wagner, 1997).
- Severe destruction of property [including fire-setting] (Harris, Rice, & Quinsey, 1993; Serin & Amos, in press).
- Severe rage for seemingly minor reasons (Keltikangas-Jaervinen, 1978).

- Detailed threats of lethal violence (Lattimore, Visher, & Linster, 1995; Tolan, Guerra, & Kendall, 1995).
- Possession and/or use of firearms and other weapons (Dwyer, 1999). **[note change in date for reference]**
- Other self-injurious behaviors or threats of suicide (Garber, et al., 1991; Hillbrand, 1995).

When a child or youth informs others of a detailed plan (time, place, method) to harm or kill others, that child should be immediately interviewed by a professional (e.g., school psychologist or other mental health professional). A history of aggression or attempts to carry out threats in the past may increase the level of imminent danger. Working with others, including the family, and other professionals, an immediate intervention plan should be prepared for acute intervention to ensure safety, security and to intervene therapeutically. Possession of a weapon, particularly a firearm requires contact with law enforcement. Weapon possession, in combination with other imminent signs requires immediate, multiple interventions in combination with the required law enforcement referral under federal or state statute. It would be the exception for the school to *not* involve appropriate community agencies in such validated serious imminent situations. To carry out such responsibilities requires that each school system have in place effective, crisis-response linkages with community mental health, child service and law enforcement agencies, and in all situations where students present validated threatening behaviors, *parents should be informed of the concerns immediately.*

How to Use Early Warning Signs for Troubling Behavior

Appropriate Evaluation of Signs

Children who are troubled most frequently exhibit multiple early warning signs (Gottfredson, Sealock, & Koper, 1996; Loeber & Farrington, 1998; Walker, Colvin, & Ramsey, 1995). To be maximally responsive to students who may be troubled, then, it is important for all members of the school-community to be familiar with the early warning signs of potential violence. It is unrealistic, however, to expect teachers, staff, or administrators to analyze every behavioral warning sign, feeling, or the reason behind perceived troubling warning signs. Staff must have access to the previously noted core consultation team of professionals, including mental health professionals who can evaluate the seriousness of such behavioral and emotional signs through consultation, interview and observation. In addition to professionals trained to interpret student warning signs and troubling behavior, teachers, staff, and parents are critical partners in the problem solving team and in designing the process of implementing appropriate interventions.

In preparation for consultation, staff can take reasonable steps to clarify concerns about a student's troubling behavior including, as appropriate: reviewing records, checking with previous teachers, contacting and sharing concerns with the family, and seeking informal support from individual team specialists. No procedure, however, should block or inhibit staff or family concerns from being quickly addressed by the team.

In most schools, teacher, family and student concerns would go through the principal to the team. Figure 2 presents a flowchart of how the school team might address a concern about a student who is exhibiting early warning signs. The process for requesting consultation should be open and flexible; the process for problem solving should be inclusive and structured. All planned interventions should be monitored and evaluated, and, as illustrated, feedback to those raising the concerns is critical to supporting the effectiveness of the school-community response.

[Insert Figure 2 about here]

Using the Guide to Shape Intervention Policies

Knowledge and understanding of early warning signs of troubling behavior can be used to improve state and local policy in order to protect and ensure every student's right to a safe school environment. Policymakers should establish family friendly and culturally competent state and local laws and policies that prohibit schools and other child agencies from keeping "lists" of children "at-risk for violence." Policies should also be in place to ensure that unqualified persons do not interpret early warning signs or relegated to a "check-list" rating scale. Given the importance of adequate training to the effective use and response to early warning signs, policies and procedures should be developed to direct resources to train and support staff and families to recognize early warning signs and to seek the necessary consultation for evaluation and intervention.

Supporting Community-wide Planning: Implications for School and Community Policies

The school board should authorize and support the formation of and the tasks undertaken by the community-wide violence prevention and response team. School systems should encourage memoranda of understanding between agencies to ensure a continuum of services that include the full range of educational, preventive, and early intervention services along with community agency support for comprehensive services for those children and families that require such services (Woodruff, et al., 1999). Interagency policies to facilitate coordinated crisis intervention responses should be developed to address potential violent, accidental or natural tragedies.

When Crisis Does Occur: Being Prepared to Respond

Effective crisis responses are dependent on effective planning. Plans will require identifying the responsible core team, having procedures and places in the school to protect students and staff from the danger. Fool-proof, tested, communication systems are necessary to designate who is responsible and how and who will contact law enforcement and emergency services. Effective schools have provided in-service training for teachers and staff in a range of deescalating class and school behavior management skills . A crisis plan manual, cooperatively developed, should be available to all involved. Procedures, policies and practices used in the manual should be reviewed and revised as needed.

Equally important in ensuring a safe response to any tragedy is the immediate and long-range response to the stress reactions to tragedy. This requires both immediate and long-term counseling for students, staff, families and emergency caregivers. Parents in particular need to be aware of the natural developmental responses children show to violence and death. Immediate counseling and support during the time of stress and grieving is but one component of the counseling support found necessary and long-term needs cannot be discounted. Long-term psychological counseling or intermittent inoculations of support may be required for anyone involved who shows signs of emotional stress (Poland, 1997, Garfinkel, Crosby, Matus, Pfeifer, & Sheras, 1988; Poland, 1994; Poland & Pitcher, 1990, Pitcher & Poland, 1992). An example of a Crisis Procedure Checklist can be found in the *Guide*.

Summary

The *Guide* provides a blueprint for community schools to use to better prevent school violence and the environmental and behavioral factors that can lead to violence. Educators and related professionals, families, students, agencies, faith leaders, business and policy-makers must seek a role in ensuring safe and effective schools in safe communities. Policy-makers can endorse prevention planning through supporting effective school practices. State legislators and governors can encourage local and state cooperation in removing bureaucratic barriers to children and families receiving the services necessary to provide effective early responses for problems that may lead to delinquency or violence.

The blueprint provided by the *Guide* cannot fit every community without local modifications. The community must also provide the local designers and builders (team) with the permits (laws and policies) and materials (resources) to construct a structure that serves the needs of the children and families in that community. The structure must be accessible as well as evaluated regularly, and, when necessary, modified to continue its effectiveness. Resources must also be available to maintain the structure for several years to prevent deterioration. Children and families deserve no less. Building and maintaining safe and effective school-communities is the keystone to maintaining a viable democracy.

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Appendix A

Expert Panelists and Sponsoring Organizations of *Early Warning, Timely Response: A Guide to Safe Schools*

Expert Panel Members

The expert panel included national experts from a variety of disciplines, as well as principals, teachers, pupil personnel staff, families, and youth:

J. Randy Alton, Teacher Montgomery County, MD
George Batsche, Professor University of South Florida
George Bear, Professor University of Delaware
Michael Bullis, Professor University of Oregon
Renee Brimfield, Principal Montgomery County, MD
Andrea Canter, Lead School Psychologist Minneapolis, MN
Gregory Carter, Teacher Richmond, VA
Deborah Crockett, School Psychologist Atlanta, GA
Scott Decker, Professor University of Missouri-St. Louis
Maurice Elias, Professor Rutgers University, NJ
Michael J. Furlong, Associate Professor University of CA-Santa Barbara
Susan Gorin, Executive Director National Association of School Psychologists Bethesda, MD
Denise Gottfredson, Director National Center for Justice University of Maryland
Beatrix Hamburg, Professor Cornell Medical Center, NY
Norris Haynes, Director, Center for School Action Research and Improvement, Southern Connecticut State University, and Professor of Child and Adolescent Psychiatry, Yale University Child Study Center
DJ Ida, Director Asian Pacific Development Center Denver, CO
Yvonne Johnson, Parent Washington, D.C.
Gil Kerlikowske, Former Police Commissioner Buffalo, NY
Paul Kingery, Director Hamilton Fish National Institute on School and Community Violence, Arlington, VA
Howard Knoff, Professor University of South Florida
Judith Lee Ladd, President Amer. School Counselors Association Arlington, VA
Brenda Muhammad, Founder Mothers of Murdered Sons & Daughters Atlanta, GA
Ron Nelson, Associate Professor Arizona State University
Dennis Nowicki, Police Chief Charlotte, NC
Scott Poland Director, Psychological Services Cyprus-Fairbanks ISD Houston, TX
Gale Porter, Director East Baltimore (MD) Mental Health Partnership
Elsa Quiroga, Student University of California-Berkeley
Michael Rosenberg, Professor John Hopkins University
Mary Schwab-Stone, Associate Professor Yale University Child Study Center
Peter Sheras, Associate Director Virginia Youth Violence Project University of Virginia
Russell Skiba, Professor University of Indiana

Leslie Skinner, Assistant Professor Temple University
Jeff Sprague, Co-Director Institute on Violence and Destructive Behavior, University of Oregon
Betty Stockton, School Psychologist, Jonesboro, AR
Richard Verdugo, Senior Policy Analyst National Education Association Washington, DC
Hill Walker, Co-Director Institute on Violence and Destructive Behavior, University of Oregon

Organizations Supporting This Guide

- American Association of School Administrators
- American Counseling Association
- American Federation of Teachers
- American School Counselors Association
- Council of Administrators of Special Education
- Council for Exceptional Children
- Federation of Families for Children's Mental Health
- National Association of Elementary School Principals
- National Association of School Psychologists
- National Association of Secondary School Principals
- National Association of State Boards of Education
- National Education Association
- National Mental Health Association
- National Middle School Association
- National PTA
- National School Boards Association
- National School Public Relations Association
- Police Executive Research Forum

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Appendix B - Resources

Center for Effective Collaboration and Practice
American Institutes for Research
1000 Thomas Jefferson St., NW
Suite 400
Washington, D.C.
http://www.air-dc.org/cecp/

U.S. Department of Education http://www.ed.gov/

U.S. Department of Justice http://www.usdoj.gov/

National Association of School Psychologists
4340 East West Highway
Suite 402
Bethesda, MD 20814
http://www.naspweb.org/center.html

National Institute of Mental Health
http://www.nimh.nih.gov/
http://www.mentalhealth.org/index.htm

For printed copies of the guide, please contact ED PUBS toll-free at 1-877-4ED-PUBS (1-877-433-7827), or by e-mail at edpuborders@aspensys.com.

For copies of the guide in alternative formats, please contact:
Email: David_Summers@ed.gov
Telephone: (202)205-9043
TDD: (202)205-5465
FIRS 1-800-877-8339,
8 a.m. - 8 p.m., ET, M-F

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Footnotes

[1] The term "violence," as employed in *Early Warning, Timely Response: A Guide to Safe Schools*, includes serious aggression, physical injurious attacks (including rape), the life-threatening use (or attempted use) of drugs, murder, or suicide. The most serious violent act is taking a life, be it one's own, others', or both.

[2] While the *Guide* does not contain references, a referenced version of the *Guide* has been produced (Dwyer, Osher, Warger, Bear, Haynes, Knoff, Kingery, Sheras, Skiba, Skinner, & Stockton, 1998), and can be obtained from sources listed in Appendix B.

Mr. MICA. Thank you, Mr. Dwyer and probably purposely timed, although he has had to wait a long time to be on this panel, our last witness, Mr. James Baker, who is executive director for the Institute of Legislative Action for the National Rifle Association. You are welcome, recognized, and thank you again for your patience.

Mr. BAKER. Thank you, Mr. Chairman and members of the committee. On behalf of our nearly 3 million members and the approximately 80 million law-abiding gun owners in this Nation, we appreciate the opportunity to testify here today.

The NRA joins the Nation in expressing our shock, grief and sympathy at the tragedy that transpired in Littleton, but we do not presume to cast ourselves as the most qualified experts in the root causes of juvenile violence. The committee has heard from several panels today representing a far broader realm of expertise in this particular area.

And for that reason, my testimony will be very brief, and it is a brevity that reflects what we believe is the absence of a nexus between second amendment issues and the tragedy that transpired Colorado and in other schools across the country.

For our 128 years of existence, the NRA has been unwavering in our consistent condemnation of the misuse of firearms. We have already supported legislation that prohibits and severely punishes the criminal misuse of firearms. That commitment is reflected in one sense by the shear number of laws that were already broken by the perpetrators of the terrible attack in Littleton, CO. By our estimation, in Littleton, 22 separate State and Federal firearms laws and explosive laws were violated, and I have included a copy of those statutes with my testimony and would like to make those copies part of the record.

Mr. MICA. Without objection, they will be made part of the record.

Mr. BAKER. One of those statutes is the Federal Gun Free School Zones Act, first passed in 1992 and revised in 1996, without objection from the National Rifle Association. As recently as last week, we very publicly reiterated our commitment to a clear policy of zero tolerance for violations of that act. Yet the very same Department of Justice that is regularly enlisted by the White House to lobby for restrictions on lawful firearms, users, has, in our opinion, been derelict in enforcing that law. The administration admits that over 6,000 juveniles were expelled from school during the 1996–1997 school year, alone, for violating the clear prohibitions of this act. And yet over those past 3 years, the Department of Justice has prosecuted only four violators in 1996, five in 1997, and eight in 1998.

Evidence of dereliction is present in the prosecution record of nearly every other Federal firearms prohibition, as well. The administration championed the Youth Handgun Safety Act, which banned the juvenile possession of handguns, but the Department of Justice has prosecuted only 20 violations of this act in the past 3 years. In recent days, the Justice Department has attempted to blunt the sting of this revelation by saying that such prosecutions are better handled at the State and local level. Well, if that is truly the case, Mr. Chairman, then why is the administration pushing for more Federal laws they clearly have no intention of enforcing?

The American people understand that laws without teeth cannot restrain lawless behavior. We will never know how many lives could have been saved over the years if the laws that are currently on the books had simply been enforced. We do know that further posturing on behalf of passing new restrictions is meaningless unless it is matched by a commitment to enforcement.

We urge the committee and the House to refrain from a purely political response to the tragedies, such as Littleton, and we are encouraged that this committee has taken the time to engage in the deliberative process of this hearing. The reflex to cast about for a party to blame in the aftermath of any tragedy is understandable, but we believe we must not lose site of the fundamental precept of American jurisprudence, which is, that individuals are responsible for their own actions.

We stand ready to work with the House throughout this legislative process, and, again, Mr. Chairman, thank you very much for the opportunity to testify.

[The prepared statement of Mr. Baker follows:]

Testimony of James Jay Baker
Executive Director
National Rifle Association - Institute for Legislative Action
Before the House Committee on Government Reform
Subcommittee on Criminal Justice, Drug Policy, and Human Resources
May 20, 1999

Thank you, Mr. Chairman and Members of the Committee. On behalf of our nearly three million members, and the approximately eighty million law-abiding gun owners of the nation, we appreciate the opportunity to testify here today.

The National Rifle Association joins the nation in expressing our shock, horror, grief and sympathy at the tragedy that transpired in Littleton. But we do not presume to cast ourselves as the most qualified experts in the root causes of juvenile violence. The committee has heard from several panels today, representing a far broader realm of specific expertise in this area.

For that reason, my testimony will be very brief -- a brevity that reflects what we believe is the absence of a nexus between Second Amendment issues and the tragedy that transpired in Colorado.

For our 128 years of existence, the National Rifle Association has been unwavering in our consistent condemnation of the misuse of firearms. We have always supported legislation that prohibits and severely punishes the criminal misuse of firearms, and that commitment is reflected in one sense by the sheer number of laws that were clearly broken by the perpetrators of this terrible attack. By our estimation, the terrorists in Littleton violated 22 separate state and federal laws relating to firearms and explosive devices. I have included a copy of these statutes with my testimony and ask that the list be entered into the record.

One of those statutes is the federal Gun Free School Zones Act, first passed in 1992 and revised in 1996 without objection from the National Rifle Association. And as recently as last week, we very publicly reiterated our commitment to a clear policy of zero tolerance for violations of that act.

Yet, the very same Department of Justice that is regularly enlisted by the White House to lobby for yet more restrictions on lawful firearm users, has clearly been derelict in enforcing this law. The Administration admits that over 6,000 juveniles were expelled from school during the 1996-97 school year alone for violating the clear prohibitions of this Act. Yet over the past three years, the Department of Justice has prosecuted only 4 violators in 1996, 5 in 1997, and 8 in 1998.

Evidence of dereliction is present in the prosecution record of nearly every other federal firearms prohibition as well. This Administration championed the Youth Handgun Safety Act, which banned the juvenile possession of handguns, but the Department of Justice has prosecuted only 20 violations of this Act in the past three years.

In recent days, the Justice Department has attempted to blunt the sting of this revelation, by saying that such prosecutions are better handled at the state and local level. If that is truly the case, then why is the Administration pushing for more federal laws they clearly have no intention of enforcing?

Ladies and gentlemen, the American people understand that laws without teeth cannot restrain lawless behavior. We will never know how many lives could have been saved over the years of this Administration if the Department of Justice had simply enforced the existing federal laws that have been on the books for years.

We do know that further posturing on behalf of passing new restrictions is meaningless unless it is matched by a commitment to enforcement. We urge the committee and the House to refrain from a purely political response to the tragedy in Littleton, and we are encouraged that this committee is taking the time to engage in the deliberative process of this hearing. The reflex to cast about for a party to blame in the aftermath of any tragedy is understandable, but we must not lose sight of the fundamental precept of American jurisprudence -- that individuals are responsible for their own actions.

We stand ready to work with the House throughout the legislative process, and again, we appreciate the opportunity to testify before you here today.

4

Violations of Federal and State Laws by the Alleged Perpetrators of the Crime at Columbine High School, Littleton, Colorado

Details of the explosives and firearms used by the alleged perpetrators have not been confirmed by law enforcement authorities. The crime scene is still being examined and cleared. It is unknown how the alleged perpetrators came into possession of the explosives and firearms they used.

The alleged perpetrators, obviously, committed multiple counts ofmurder and attempted murder, the most serious crimes of all. And they committed many violations of laws against destruction of property, such as in the school building and the cars in the parking lot outside. All told, the prison sentences possible for these multiple, serious violations amount to many hundreds of years.

Additionally, in the course of planning and committing these crimes, the alleged perpetrators committed numerous violations of very serious federal and state laws relating to explosives and firearms, and, depending on details not yet known, may have committed other such violations. Cumulatively, the prison sentences possible for these violations alone amount to many hundreds of years. A partial list of those violations follows:

1. **Possession of a "destructive device" (i.e., bomb).** (Multiple counts.) Prohibited under 26 U.S.C. Chapter 53. Each violation is punishable by 10 years in prison and a $10,000 fine. Other explosives violations are under 18 U.S.C. 842.

Colorado law [18-12-109(2)] prohibits the possession of an "explosive or incendiary device." Each violation is a Class 4 felony. Colorado [18-12-109(6)] also prohibits possession of "explosive or incendiary parts," defined to include, individually, a substantial variety of components used to make explosive or incendiary devices. Each violation is a Class 4 felony.

2. **Manufacturing a "destructive device" (i.e., bomb).** (Multiple counts.) Prohibited under 26 U.S.C. Chapter 53. Each violation is punishable by 10 years in prison and a $10,000 fine.

3. **Use of an explosive or incendiary device in the commission of a felony.** Prohibited under Colorado law [18-12-109(4)]. A class 2 felony.

4. **Setting a device designed to cause an explosion upon being triggered.** Violation of Colorado law. (Citation uncertain)

5. **Use of a firearm or "destructive device" (i.e., bomb) to commit a murder that is prosecutable in a federal court.** Enhanced penalty under 18 U.S.C. 924(i). Punishable by death or up to life in prison. A federal nexus is through 18 U.S.C. 922(q), prohibiting the discharge of a firearm, on school property, with reckless disregard for the safety of another person.

6. **Possession of a firearm or "destructive device" (i.e., bomb) in furtherance of a crime of violence that is prosecutable in a federal court.** Enhanced penalty under 18 U.S.C. 924(c). Penalty is 10 years if a firearm; 30 years if a "destructive device" (bomb, etc.). Convictions subsequent to the first receive 20 years or, if the weapon is a bomb, life imprisonment. Again, a federal nexus is through 18 U.S.C. 922(q), prohibiting the discharge of a firearm, on school property, with reckless disregard for the safety of another person.

7. **Brandishing a firearm or "destructive device" (i.e., bomb) in furtherance of a crime of violence that may be prosecuted in a federal court.** Enhanced penalty under 18 U.S.C. 924(c). Penalty is 15 years if a firearm; 30 years if a "destructive device" (bomb, etc.). Convictions subsequent to the first receive 25 years or, if the weapon is a bomb, life imprisonment. Again, a federal nexus is through 18 U.S.C. 922(q), prohibiting the discharge of a firearm, on school property, with reckless disregard for the safety of another person.

8. **Discharging a firearm or "destructive device" (i.e., bomb) in furtherance of a crime of violence that may be prosecuted in a federal court.** Enhanced penalty under 18 U.S.C. 924(c). Penalty is 20 years if a firearm; 30 years if a "destructive device" (bomb, etc.). Convictions subsequent to the first receive 30 years or, if the weapon is a bomb, life imprisonment. Again, a federal nexus is through 18 U.S.C. 922(q), prohibiting the discharge of a firearm, on school property, with reckless disregard for the safety of another person.

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9. Conspiracy to commit a crime of violence prosecutable in federal court. Enhanced penalty under 18 U.S.C. 924(n). Penalty is 20 years if the weapon is a firearm, life imprisonment if the weapon is a bomb. Again, a federal nexus is through 18 U.S.C. 922(q), prohibiting the discharge of a firearm, on school property, with reckless disregard for the safety of another person.

10. Possession of a short-barreled shotgun or rifle. Some news accounts have suggested that the alleged perpetrators may have possessed a "sawed-off" shotgun or "sawed-off" rifle. (A shotgun or rifle less than 26" in overall length, or a shotgun with a barrel of less than 18", or a rifle with a barrel of less than 16".) A spokesman for the Jefferson County Sheriff's Office reported, possibly, at least one long gun with the stock cut off. Prohibited under 26 U.S.C. Chapter 53. A violation is punishable by 10 years in prison and a $10,000 fine.

Colorado law [18-12-102(3)] prohibits possession of a "dangerous weapon" (defined to include sawed-off guns). First violation is a Class 5 felony; subsequent violations are Class 4 felonies.

11. Manufacturing a "sawed-off" shotgun or "sawed-off" rifle. Prohibited under 26 U.S.C. Chapter 53. Each violation is punishable by 10 years in prison and a $10,000 fine.

12. Possession of a handgun or handgun ammunition by a person under age 18: Some news accounts report one alleged perpetrator as being 17 years of age. It is yet unclear what firearms were involved in the crime. A person under age 18 is prohibited from possessing a handgun or handgun ammunition, except for legitimate target shooting, hunting, and firearms training activities, and similar legitimate reasons. [18 U.S.C 922(x), part of the 1994 crime bill.] A violation is punishable by one year in prison.

13. Providing a handgun or handgun ammunition to a person under age 18. Prohibited under the same provision noted in #4, above. Penalty of one year, unless the provider knew the gun would be used in a crime of violence, in which case the penalty is 10 years.

14. Age restrictions on purchasing firearms. Again, the age of the second suspect and how the alleged perpetrators came into possession of firearms are unclear. However, licensed dealers may sell rifles and shotguns only to persons age 18 or over, and handguns to persons age 21 or over. [18 U.S.C. 922(b)(1)]

15. Possession of a firearm on school property. Prohibited under 18 U.S.C. 922(q). Five year penalty. Colorado also prohibits a gun on school property. (Citation uncertain.)

16. Discharge of a firearm on school property, with a reckless disregard for another's safety. Prohibited under 18 U.S.C. 922q. Five year penalty.

17. Possession, interstate transportation, sale, etc., of a stolen firearm. Prohibited under 18 U.S.C. 922(i) and (j). A violation is punishable by 10 years.

18. Intentionally aiming a firearm at another person. Violation of Colorado law.

19. Displaying a firearm in a public place in a manner calculated to alarm, or discharging a firearm in a public place except on a lawful target practice or hunting place. Violation of Colorado law.

Mr. MICA. Thank you. Thank you both for your testimony and for your enduring patience this afternoon.

I was interested to hear Mr. Dwyer say that one of his concerns is the access to firearms, particularly among behaviorally or emotionally disturbed children. We already have some laws that deal with this, and we heard the representative from NRA say that those laws aren't being enforced; 6,000 students expelled and only a handful that they have gone after. Is there something missing in the law, Mr. Dwyer, and, Mr. Baker, the same question, or is it a question of enforcement?

Mr. DWYER. The things that I am talking about—most of the youngsters, by the way, that I am thinking of who have used weapons, particularly those who use them on themselves, that is done in the home, and those are weapons that they just have available to them. I believe that in most of those situations if those firearms weren't available to them at that time, they would still be alive. I have worked with—I have had three youngsters—one murdered another youngster; one murdered another youngster and then hung himself in jail, and another one shot himself with his father's pistol; bought a bullet for it, because his father didn't have any ammunition in the home. But the reality is that we need to take responsibility. We need to work together to take responsibility; to figure out ways to make sure that families, if they do have weapons in their homes, that they have ways of preventing the youngsters from having access to those weapons.

The other—and I say this to parents all the time—if you have an emotionally disturbed child, a depressed child or a child with severe attention deficit disorder with impulsivity, you should take the guns out of your house for the period of time that they are growing up, particularly as they are moving through adolescence. It is too dangerous. It is just pure and simply too dangerous.

We need to think a little bit about danger. We lock our cars, because we don't want people to take them. We think about if there are children around, we don't do things that are going to cause them harm. We have laws about lead paint. We have all these kinds of rules and regulations. We have got to do something about this one, because, frankly, we lead the world, accounting for 78 percent of the firearms deaths of children and youth out of 26 countries. OK, 78 percent of firearms deaths are in the United States even though we only have 38 percent of the children among those 26 countries. I mean, this is something that we have to look at, and we have to work on this together, bipartisanly.

I think this is something that we just need to come up with some good ideas, some effective ideas that will prevent these deaths from happening. I tell their parents to get the guns out of the house if they have troubled children. Put them in a safety deposit box until things get better, and I do that as a professional, but I think that is one person. We need to have some way to publicly communicate this to our Whole Nation.

Mr. MICA. Mr. Baker, did you want to respond?

Mr. BAKER. Yes, Mr. Chairman. I don't think that there is any way that we can legislate responsibility, but I certainly agree with Mr. Dwyer to the extent that we need to, through education and training, provide for secure storage of firearms. We have been an advocate of that since we were formed. From the standpoint, with the right to own a firearm, comes the responsibility to safely use it, to safely store it. Certainly in the context of the home where there are juveniles, they ought to be safely stored. We spend millions of dollars a year as do the firearms industry in just those types of education and safety training programs around the country, and I couldn't agree with Mr. Dwyer more that the question of safety in the home is one of education, and there is really no way to legislate that.

Mr. MICA. Well, finally, my question about access. Are there additional measures that Congress can take relating to access or are the laws sufficient in keeping firearms away from young people and those at risk?

Mr. BAKER. Well, just a couple of a factual matters. There were as many firearms in 1950 per capita as there are now, and yet we didn't seem to have the same problems in the 1950's with the misuse of firearms that we seem to be experiencing today. So, there are clearly factors other than there being firearms. There were firearms then and the same numbers per capita as there are now. So, there are other factors at play, and I must admit that the National Rifle Association and myself, personally, are not experts, but you have had a number of very qualified and articulate spokesmen for various programs and plans. I don't think that the number of firearms out there is the answer to the violence or is even a component answer to the violence. It goes far beyond that.

Mr. DWYER. The violence—excuse me—may I?

Mr. MICA. Mr. Dwyer.

Mr. DWYER. The increase in adolescent and youth violence in homicide and suicide, both, has been dramatic in the last 20 years; a dramatic increase—186 percent increase in homicides; and a 300 percent increase in suicide in kids under the age of 14. It is not that there are more weapons out there; it is what people are perceiving as their use. It is what we are teaching our kids through a lot of different media and through a lot of other different things that firearms solve problems. It is the interaction effect. I mean, if you want to research this—I don't want to be too technical—but it is the interaction effect of all these things together that make—and no offense—that make guns more dangerous today than they were in 1950. That is the issue—they are more dangerous today than they were in 1950 when they were in your homes. That is all I can say. I mean, that is the truth; that is the reality.

The other thing that I think—we want to use proven practices that work and in schools, we know exactly what works. I would like to make sure that my extended testimony is in the record, because in there we talk about those programs, and they relate to legislation that you and Mr. Barr and others would like to support. I think we have—you know, we have ESEA coming up, and we have a lot of other legislative proposals coming up. If people are going to do things—if we are going to fund things on a local level and give the responsibility to the local people to have those funds, that is fine, but let us make sure that we take our responsibility—you and I take our responsibility to make sure that they don't waste that money. That is what Dr. Sherman was saying before and what I am most worried about. I don't want that money to be wasted.

I see the failures; I see the pain; I see people die, and I don't want to see that happen anymore with my kids or anyone's kids.

Mr. MICA. Thank you for your testimony.

I will yield now to the gentleman from Georgia.

Mr. BARR. Thank you, Mr. Chairman, and at the expense of praising you too much and giving you a swelled head, I would like to thank you for the entire panels that we have had today, including this last one, and I appreciate both the chairman's patience as well as the patience of our witnesses. But I have appreciated very much the opportunity to listen to the panels today and to have the opportunity to read at least most of the written testimony.

One thing that I know, Mr. Baker, you are very, very well aware of, because the NRA addresses the issue of consistency of prosecutions of crimes involving firearms, and I know that you are probably even more aware than I am since this is one of the key issues that your job forces you to focus on. The inconsistency and lack of—actually, it isn't inconsistency in this regard; it is that the administration is consistently not prosecuting these cases. But the message that that sends to people, and I appreciate your trying to focus attention on these sorts of these things.

So, as a former prosecutor, I know how important not just the substantive tools that a prosecutor has available to him or her but the message that consistent prosecution sends to the public and developing respect for law across the board. So, I appreciate your work in this area.

Mr. BAKER. Thank you.

Mr. BARR. What I would like to do, just one question, Mr. Baker. If you could, just very briefly explain the nature of some of the educational and law enforcement programs that the NRA is involved in, because I know that doesn't get a lot of the attention that some of the other work that you all do. But I think, particularly in light of the fact that this hearing is about children, it might be important, if you could just take a minute or so.

Mr. BAKER. Sure, and I would be happy to supply a more extensive account of that for the committee, for the record. As it says in my title, I am the lobbyist for the association. But we have over 400 employees in the building, most of whom are dedicated to the safety and training aspects of firearms ownership, and that run programs from the grade school level on up to adults. And, as I said in one of the chairman's questions, firearm ownership is a right as well as a responsibility, and the responsibility part of firearm ownership deals with safe handling, safe storage, and safe use of firearms. We have a gun avoidance program for school age children that speaks specifically to, if they see a gun, stop; don't touch; tell an adult. And it is entirely and completely a gun avoidance program, and we have those sorts of programs that are relevant for every age group, as I said, up through adults.

And, as you mentioned briefly, we train and have trained for years law enforcement around the country in safe and efficient use of firearms, and while we get a lot of press for the lobbying we do and what we talk about relative to prosecutions and what you and I have talked about here, what we have done for most of our history is education and training, and it is what we continue to emphasize from the standpoint of where our resources are put. The majority of our resources goes to our general operations divisions that deal with education training across the country.

But I can certainly expand on that with a written submission.

Mr. BARR. I would appreciate that. Thank you.

[The information referred to follows:]

NATIONAL RIFLE ASSOCIATION OF AMERICA
INSTITUTE FOR LEGISLATIVE ACTION
410 FIRST STREET, S.E.
2ND FLOOR
WASHINGTON, DC 20003

NRA's Education & Training Programs

Providing training in the safe and competent use of firearms has been at the heart of the National Rifle Association's mission since its founding in 1871. One of the stated purposes in the NRA bylaws is: "To train . . . people of good repute in marksmanship and the safe handling and efficient use of firearms."

In 1926, NRA began an instructor certification program, designed to ensure high standards of safety and marksmanship training. By 1960, there were 30,000 NRA certified instructors across the nation.

Today, NRA oversees nearly 50,000 certified instructors who teach Basic Firearms Education Courses to approximately one million Americans each year. These courses focus on how to operate and store guns safely and on the basic principles of marksmanship.

In addition to NRA's certified instructors, nearly 1,000 coaches have been certified as well. These experts work solely with competitive shooters, mostly young people with aspirations to compete on a college team or even to represent their country in the Olympics. Handpicked certified coaches may also qualify to become members of the National Coach Development Staff. These individuals are authorized to train and certify other coaches, and are in demand from many other shooting groups. NRA's Coach Training Program has also been formally adopted by USA Shooting, the governing body of American Olympic shooting.

When it comes to competitive shooting, no one does more to foster excellence in marksmanship than NRA, which each year sanctions more than 10,000 local, state, regional and national tournaments for rifle, pistol and shotgun competitors.

This year marks the 50th anniversary of hunter education in America. NRA was instrumental in creating formal hunter education courses, and continues its leadership today with advanced hunter safety training for youths. A new program to certify Hunter Clinic Instructors in game-specific courses such as whitetail deer and wild turkey, is also in place to serve America's 15 million hunters.

NRA provides support to groups such as the Boy Scouts, the 4-H, FFA, the American Legion, ROTC, the National Guard, and the U.S. Jaycees —all of whom administrate their own youth gun safety programs. This partnership introduces 500,000 to 1,000,000 youngsters to safe shooting each year.

No single gun safety effort has reached more people than NRA's Eddie Eagle Program. Teaching a simple, four-step message—"Stop! Don't Touch! Leave the Area! Tell and Adult!"—the program has reached 11.6 million children in 10 years in every state, Puerto Rico and Canada. Directed toward kids in kindergarten through the sixth grade, Eddie Eagle is extremely popular in public schools and with law enforcement agents active in community service.

NRA's Refuse To Be A Victim program of personal safety training has now expanded in to 45 states and the District of Columbia. Last year alone, more than 700 instructors taught 6,600 men and women how to avoid criminal attack.

NRA firearms training extends beyond civilians into the ranks of law enforcement agents through special schools to train law enforcement firearms instructors. This program has been serving the law enforcement community for 40 years.

Mr. BARR. Do we have a vote, Mr. Chairman?

Mr. MICA. Yes.

Mr. BARR. So, I have time for just one more question. To Mr. Dwyer, I very much appreciate your testimony and your expertise in this area.

It seems to me that as a non-expert in this area as you are, just looking at it more as a layperson, there are basically two problems that we have. One is to try and identify kids that are out there now that are problems or that may snap and become a very serious problem, and then the other focus ought to be what do we do in the future to avoid those—prevent those kids from developing that way?

Given that we probably will never have the resources to do everything to address this problem what would you say are the most important things that we can be doing right now to try and identify those children that might be—if anything, to identify children that might be problems before they—and I don't know whether the correct word is "snap" or what—like the kids in Littleton did before that happens again?

Mr. DWYER. We need, Mr. Barr—and I think this is a critical issue—we need to find those kids, but we also need to treat those kids. In other words, once we find them, we have got to do something to make sure that they don't carry out—they don't become more violent or more aggressive.

But the thing that we need—and I know this is probably unrealistic—but in every school, we need a person with my credentials who teachers and parents can come to, and they can say—and I am a school psychologist—they can say, "I am worried about what is happening. I see these changes in this boy's behavior, this girl's behavior. I am concerned about that." And then I can— —

Mr. BARR. Excuse me, while you are talking about that, are there Federal laws that pose restrictions right now on your ability to do that or the ability of parents to come in and speak freely and frankly with you?

Mr. DWYER. No. The reality of the situation is that there just aren't enough persons—there aren't enough school psychologists, school counselors, those kinds of persons in schools in the United States. I mean, we have 1 school psychologist for every 2,300 kids. That is like a teacher having 50 or more in a class. Very few high schools have a full-time school psychologist.

Mr. BARR. Is there sort of—and I know it would vary—but what sort of costs are we talking about in a school to do that?

Mr. DWYER. The salary for a school psychologist is the same as the salary for a teacher. So, it is like hiring another teacher except that we have an advanced degree, so if you pay extra for 60 credits above a Bachelor's degree, that is what you would be paying a school psychologist. They don't get any more—I didn't make any more money than anybody else when I worked in the schools.

Mr. BARR. And I don't want you to go on the record here about your personal situation, but is there sort of an average that we are talking about, because, certainly, in terms of appropriations and money, that would be a concern?

Mr. DWYER. Yes, that is a very good point, and we are—actually, literally, 2 nights ago, I was made aware that there is a research project right now going on to get the average—what is the average salary, but the average salary in Georgia is very different from the average salary in Scarsdale, NY.

Mr. BARR. It is probably lower in Georgia.

Mr. DWYER. Yes, it is, much.

Mr. BARR. If you could get that to us, I would really like to look at that.

Mr. DWYER. We will try to get some information to you on that, but that may not be ready until August.

[The information referred to follows:]

How Do School Psychology Salaries Compare with Teacher Salaries?

The following table contains the average (mean) salaries of teachers and school psychologists from each state. Please note that the number of contracted days and hours per day between the two groups probably vary significantly. Last month's *Communiqué* reported the median days worked per year and hours worked per day for each of the states for full-time school psychologist practitioners.

State	Teacher Average (Mean) Salary*	School Psychologist Average (Mean) Salary**	State Rank of Mean Teacher Salary	State Rank Mean School Psychologist Salary
Alabama	32,799	44,292	41	34
Alaska	48,275	54,198	5	8
Arizona	34,071	45,609	32	29
Arkansas	32,119	40,865	43	48
California	44,585	58,911	8	3
Colorado	37,240	44,941	22	31
Connecticut	51,727	52,400	1	11
Delaware	42,439	53,408	12	9
District of Col.	44,749	60,777	7	1
Florida	34,473	48,157	28	27
Georgia	37,412	52,594	21	10
Hawaii	36,598	41,467	25	46
Idaho	32,834	44,781	40	32
Illinois	43,707	55,542	11	6
Indiana	38,752	48,750	16	24
Iowa	34,084	43,847	31	36
Kansas	33,800	40,963	34	47
Kentucky	34,453	43,804	29	37
Louisiana	30,090	38,752	48	49
Maine	[illegible]	[illegible]	30	33
Maryland	[illegible]	54,400	14	7
Massachusetts	[illegible]	[illegible]	10	18
Michigan	48,661	56,082	4	5
Minnesota	39,104	46,548	17	25
Mississippi	28,691	49,306	49	18
Missouri	34,001	47,747	33	21
Montana	30,617	37,925	46	50
Nebraska	32,668	44,104	42	35
Nevada	40,572	49,302	15	19
New Hampshire	36,663	47,416	24	23
New Jersey	50,284	60,217	2	2
New Mexico	30,309	50,808	47	16
New York	48,712	57,958	3	4
North Carolina	33,123	43,468	36	39
North Dakota	28,231	37,807	50	51
Ohio	38,089	51,381	18	14
Oklahoma	30,940	41,778	45	44
Oregon	42,301	48,517	13	17
Pennsylvania	47,642	52,044	6	12
Rhode Island	44,806	51,703	9	13
South Carolina	33,608	48,417	35	30
South Dakota	27,839	41,538	51	45
Tennessee	34,584	42,468	27	43
Texas	33,537	42,652	38	41
Utah	32,981	43,021	39	40
Vermont	36,299	48,930	26	20
Virginia	37,024	45,911	23	26
Washington	38,755	43,783	19	38
West Virginia	[illegible]	42,536	37	42
Wisconsin	38,179	47,507	20	22
Wyoming	32,022	46,538	44	28

*Average Teacher Salaries from 1997/1998. Source: American Federation of Teachers as printed in *Education Week*, July 14, 1999. All reported salaries are arithmetic means with the exception of New York where the median was used.

**Average (Mean) School Psychologist Practitioner Salaries from 1998/1999. Source: NASP Salary Survey, May 1999. ◆

Alex Thomas, PhD, [illegible] of NASP. Throughout this school year [illegible] respond to questions based on the NASP Survey of School Psychologists conducted in spring 1999.

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Mr. DWYER. But we need teams of people, like you, as a parent, that I, as a teacher, if I were a teacher, could go to and say, "I am worried about what I see."

And then an other thing that we need that is really critical—and it was mentioned by Dr. Sherman in his testimony but not in his presentation—was that we need to teach kids problem solving skills, to teach kids the skills, to teach respect and responsibility. I know it is a parental responsibility, but we need to do it in our schools too. If the parents aren't doing it, we have got to do it. Thank you.

Mr. BARR. And I think that ties in, I think, Mr. Baker, with what you are saying also—respect, discipline.

Mr. BAKER. Absolutely.

Mr. BARR. Thank you very much, Mr. Chairman, and thank you, Mr. Dwyer and Mr. Baker.

Mr. MICA. Well, I would like to thank both of our panelists. It was the last panel, but, nonetheless, it will be part of the record that we are trying to build in order to review this whole question of school violence.

We do appreciate your testimony. We will leave the record open for 2 weeks, and, without any other further business to come before this subcommittee at this time, this meeting is adjourned.

[Whereupon, at 3:45 p.m., the subcommittee was adjourned.]

[Additional information submitted for the hearing record follows:]

PATSY T. MINK
SECOND DISTRICT, HAWAII

WASHINGTON OFFICE:
2135 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-1102
(202) 225-4906
FAX: (202) 225-4987
http://www.house.gov/writerep/

DISTRICT OFFICE:
5104 PRINCE KUHIO FEDERAL BUILDING
P.O. BOX 50124
HONOLULU, HI 96850-4977
(808) 541-1986
FAX: (808) 538-0233

BIG ISLAND: (808) 935-3756
MAUI: (808) 242-1818
KAUAI: (808) 245-1951

Congreſs of the United States
House of Representatives
Washington, DC 20515-1102

COMMITTEE ON EDUCATION AND THE WORKFORCE
EARLY CHILDHOOD, YOUTH AND FAMILIES SUBCOMMITTEE
POSTSECONDARY EDUCATION, TRAINING AND LIFE-LONG LEARNING SUBCOMMITTEE

COMMITTEE ON GOVERNMENT REFORM
CRIMINAL JUSTICE, DRUG POLICY AND HUMAN RESOURCES SUBCOMMITTEE, RANKING
GOVERNMENT MANAGEMENT, INFORMATION AND TECHNOLOGY SUBCOMMITTEE

DEMOCRATIC CAUCUS EDUCATION AGENDA TASK FORCE, CO-CHAIR

QUESTIONS FOR DR. NELBA CHAVEZ
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION

by Congresswoman Patsy T. Mink, Ranking Member
Subcommittee on Criminal Justice, Drug Policy, and Human Resources
Committee on Government Reform
June 3, 1999

1. $2.4 Billion is spent on SAMHSA. The majority of this is in block grants for substance abuse prevention. How much is spent on school violence? What specifically is this "school violence" money spent on?

2. Only 10% of our schools report any serious crime. What percentage of your funding goes to these 10% of schools? How do you allocate these moneys?

3. How much of your $2.4 billion goes to school-age children?

4. How much of the $2.4 billion is spent on providing school counselors?

5. What are the costs of SAMHSA's administration expenses and how are they spent? How much of it is in DC or in regional offices. How many employees in each place?

6. The recent rash of school shootings have been by boys reportedly without substance abuse problems. What programs do you have to address problems among these alienated and troubled students?

7. How much of the $2.4 billion is spent on mental health and counseling services for students and their parents? What does that entail? Is there a hotline in effect in any of our schools?

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DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Substance Abuse and Mental
Health Services Administration
Rockville MD 20857

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JUL 9 1999

The Honorable Patsy T. Mink
House of Representatives
Washington, D.C. 20515-1102

Dear Ms. Mink:

Thank you for the opportunity to respond to the questions on children and school violence requested by the House Subcommittee on Criminal Justice, Drug Policy, and Human Resources, Committee on Government Reform. Recent school shootings have brought national attention to children and violence, issues the Substance Abuse and Mental Health Services Administration (SAMHSA) has over the past few years placed as a priority because of our particular interest in children with serious emotional disturbance and children of substance abusers who may be victims of violence. To get a clear picture of SAMHSA's activities that focus on school violence, the following answers are provided to the seven questions listed in your request:

1. $2.4 billion is spent on SAMHSA. The majority of this is in block grants for substance abuse prevention. How much is spent on school violence? What specifically is this "school violence" money spent on?

Only 20 percent of the Substance Abuse Prevention and Treatment Block Grant (SAPTBG) is spent on prevention and none of those funds are used specifically for school violence. However, SAMHSA's Center for Substance Abuse Prevention (CSAP) has made five grants from their Knowledge Development and Application funds (KD&A) that may contribute to reducing the incidence of violence among school-age children.

These projects/programs have been funded for five consecutive years since September 30, 1994 and will conclude on June 30, 1999. Each of the five programs/projects are followed by their costs.

- **SAFE HEAVEN Violence Prevention Project (California) $481,126**
- **Proyecto CHAC-CSAP (California) $847,062**
- **School and Community Action to Prevent Violence and Drug Use (Washington DC) $440,350**
- **Austin AOD & Related Violence Prevention Project (Illinois) $594,230**
- **GINEW/Golden Eagle Program for High Risk Youth (Minnesota) $391,138**

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SAMHSA's principal school violence program is administered by the Center for Mental Health Services (CMHS) and is made up of two grant programs. The first and larger grant program is the *Safe Schools/Healthy Students Initiative(SS/HS)*—a pioneering grant program in which the Departments of Health and Human Services, Education, and Justice are collaborating. The initiative, which makes $180 million available to schools across the country, is based on evidence that a comprehensive, integrated, community-wide approach that emphasizes healthy childhood development is an effective way to counter school violence, alcohol, and other drug use. Schools are the logical place to locate these services because that is where children and adolescents spend a significant portion of their days.

Through the *Safe Schools/Healthy Students* grant program, approximately 50 school districts will receive $1 million to $3 million per year for the implementation of school-based violence prevention programs that encompass six core, mandatory activities: school safety; prevention of, and early intervention in, violent behavior and alcohol and drug use; school and community mental health prevention and treatment intervention services; early childhood psychosocial and emotional development programs; educational reform; and safe school policies. The SAMHSA/CMHS funding of approximately $25 million will go directly toward the funding of mental health prevention and treatment intervention services and early childhood psychosocial and emotional development programs. Proven practices and services must be employed, and the overall effectiveness of the local program must be evaluated. A public health approach is expected to provide a model and the tools for enhancing resilience and reducing injuries and deaths due to violence.

The second and smaller component of the School Violence Prevention Initiative is titled *School Action Grant*. This program, which will provide grantees up to $150,000 a year, is designed to encourage communities to identify exemplary service delivery practices that best meet their needs, and to build consensus on the practices' effectiveness and implementation. Any organization may apply for this grant provided it is willing to employ an exemplary practice to prevent youth violence, promote healthy child development and foster resilience, and to take responsibility for facilitating the adoption of the practice in a specific community. SAMHSA's Center for Substance Abuse Treatment (CSAT) is adding $600,000 to this $5 million CMHS-initiated initiative to support evidence-based programs that treat young people with substance abuse problems.

Evaluation activities will be built into all components of the SAMHSA/CMHS School Violence Prevention program. The Federal government is faced with an unprecedented opportunity to learn 1) whether an integrated, comprehensive, community-wide initiative will result in positive mental health, education, juvenile justice, and economic outcomes for a variety of communities; and 2) what combination of programs is most beneficial for schools and communities in reducing violent outcomes for children, families, schools, and communities, both in the short and the long term.

To be effective and self-sustaining, the two grant programs described above will need the understanding, support, and participation of many community partners: children, families, teachers, primary and mental health care providers, law enforcement and juvenile justice authorities, State and local governments providing health and welfare services, advocacy groups, businesses, members of the faith community, and others concerned with the welfare of children. The initiative will be complemented by CMHS programs that provide technical assistance, consensus building support, and a wide array of awareness activities and educational materials that are aimed at enhancing and expanding the impact of efforts by grantees to reduce and prevent violence.

2. Only 10 percent of our schools report any serious crime. What percentage of your funding goes to these 10 percent of schools? How do you allocate these monies?

While it is true that in 1996-1997, only 10 percent of all public schools reported one or more serious violence crimes to the police, another 47 percent of public schools reported at least one less serious nonviolent crime to the police (1998 Annual Report on School Safety, page 10). The numbers of reported violent crimes are higher in middle and high schools with 21 percent of all high schools and 19 percent of all public middle schools reporting at least one serious violent crime to the police. Any school crime is too much, and violence in schools is especially disturbing and the SAMHSA/CMHS school violence prevention initiative takes a strong position in the area of prevention of violence, thus all local educational authorities were eligible applicants.

We do not know what percent of SAMHSA's funding goes to schools with serious crime. Serious crime in and of itself is not one of the criteria we use for allocating resources because there are many ways to document need.

The documentation of need is one of the eligibility criteria of the Interdepartmental *Safe Schools/Healthy Students* grant program and one of the review criteria upon which a decision will be made to award Federal grant dollars. For example, applicants may document need in the following school and student arenas:

> (a) students engaged in alcohol and drug use and violent behavior; (b) incidence and prevalence of alcohol and drug use by youth; (c) weapon carrying or possession in schools; (d) incidents of serious and violent crime in schools; (e) truant students; (f) suicidal behaviors; (g) student suspensions, expulsions, and dropouts; (h) students on probation; (i) students in juvenile justice placements; (j) students in foster care and child protective services; (k) students with emotional and behavioral disorders; (l) children abused and neglected; and (m) school attendance and performance.

Schools were also asked to provide an assessment of community-risk factors such as:

> (a) socioeconomic conditions as measured by the percentage of families at or below the poverty level and percentage of students receiving free and reduced cost meals at school; (b) population turnover; (c) racial and ethnic heterogeneity; (d) housing density; (e) household composition; and (f) crime and delinquency rates including domestic violence, rape; and (g) suicide rates.

These risk factors will be one component of the review process and we would expect that schools with great needs who have developed a comprehensive school violence prevention plan will receive favorable scores. Additionally, applications will be reviewed with other applications with similar characteristics. For example, rural schools will be reviewed in the same pool as other rural schools. Allocation of dollars will be made based on an overall score for the application as well as a determination based on geographic balance and population density. Applications will be reviewed by peer review groups and the SAMHSA National Advisory Council.

3. How much of your $2.4 billion goes to school-age children?

In FY 1999, SAMHSA is expected to spend $278.3 million in its categorical programs (does not include funds from SAMHSA's block grants) on substance abuse prevention and treatment and mental health programs for children ages 0-21. For example, in the area of substance abuse prevention, SAMHSA's CSAP spent approximately $104.8 million or 64 percent of their budget on programs that specifically target school age children and youth (see enclosed table). This includes reaching children in day care through college.

4. How much of the $2.4 billion is spent on providing school counselors?

SAMHSA does not collect the information to answer this question.

5. What are the costs of SAMHSA administration expenses and how are they spent? How much of it is in DC or in regional offices. How many employees in each place?

The SAMHSA budget for administering our programs includes the full amount of the Program Management line item ($56.5 million) plus the costs for supporting our staff who are paid from the Mental Health and Substance Abuse Block grant set-asides (an additional $5.9 million). The total amount is about $62.5 million. Of that total amount, approximately $49.1 million or nearly 80 percent is for staff salaries and benefits. The remaining funds are used for support costs such as rent, printing and reproduction services, travel, equipment, supplies, and other activities associated with the support of our programs. It also includes payments for overhead services provided by the Program Support Center, such as accounting services and security guards. Our current projection for FTE utilization in FY 1999 is 565 FTEs.

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SAMHSA does not have any employees in regional offices. All of our employees are located in Rockville, Maryland, in either the Parklawn or Rockwall buildings.

6. The recent rash of school shootings have been by boys reportedly without substance abuse problems. What programs do you have to address problems among these alienated and troubled students?

The CMHS School Violence Prevention initiative builds on the generation of research that has shown that violent behaviors result from complex interactions of individual vulnerabilities and environmental exposures. We now know that children and families at highest risk have few protective factors available to them to develop resilience. We know that preventive and treatment interventions for high risk children must focus on strengthening both the individual child and the child's environment, including family, school and neighborhood. The array of activities under the SAMHSA/CMHS School Violence Prevention program are designed to target these children and youth at risk of violence by providing them with not only prevention services but also early intervention services to counteract the many risks that confront these children and leave them vulnerable to negative outcomes.

The Center for Substance Abuse Prevention (CSAP) has several programs that target youth at risk for substance abuse problems. This, by definition, includes youth who are alienated and troubled students. The Substance Abuse and Violence Prevention Initiative supports programs designed to reduce the precursors to drug use and violence, such as early aggression, conduct disorders, lack of school and family bonding, academic failure, and family violence. Project Youth Connect grantees are studying the effectiveness of mentoring at-risk youth between the ages of 9 to 15 in reducing or delaying the onset of substance abuse and identifying the factors which are precursors to substance use and violence. Services provided as part of Project Youth Connect include youth education on substance use and abuse, conflict resolution, communications training for youth and their families, family management, counseling, parent effectiveness training, and referrals for social services or health services, among others.

Also, SAMHSA's CSAT funds several initiatives targeting adolescent substance abuse treatment that, in turn, help prevent violence, as well as other serious problems experienced by youth.

There are four new CSAT initiatives, under which adolescents can be targeted, that were announced in March 1999. Applications will be reviewed by peer review groups and the National Advisory Council prior to funding by September 30.

7. How much of the $2.4 billion is spent on mental health and counseling services for students and their parents? What does that entail? Is there a hotline in effect in any of our schools?

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The Comprehensive Community Mental Health Services for Children and Their Families program is legislatively mandated to provide grants to States to implement and evaluate comprehensive community-based services for children with serious emotional disturbance and their families. In FY 1999, $78 million (does not include block grant funds) was appropriated for this program. An estimated 54 grants will be awarded across the country to provide a comprehensive spectrum of mental health services including counseling services. Also a portion of the $7 million appropriated for Project Youth Connect is for substance abuse prevention counseling services. SAMHSA is unaware of any hotlines in effect in our schools.

I hope this response is helpful in clarifying SAMHSA's priorities and activities pertaining to children and school violence. If you require additional information or have further questions, please let me know.

Sincerely yours,

Nelba Chavez, Ph.D.
Administrator

Enclosure

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Revised February 3, 1999

Substance Abuse and Mental Health Services Administration
Children and Youth Budget (HHS Budget Table) 1/
(Dollars in thousands)

Program	FY 1998 Actual	FY 1999 Estimate	FY 2000 Estimate
Children's Health:			
Knowledge Development and Application	$68,729	$111,086	$94,939
(Mental Health)	*(5,861)*	*(5,893)*	*(2,244)*
(Mental Health-- Violence in Schools Initiative)	—	*(40,000)*	*(40,000)*
(Substance Abuse Prevention)	*(37,438)*	*(36,111)*	*(29,521)*
(Substance Abuse Treatment)	*(25,430)*	*(29,082)*	*(23,174)*
Children's Mental Health Services Program	72,927	78,000	78,000
Targeted Capacity Expansion:			
Substance Abuse Treatment	7,831	20,537	35,783
Total, Children's Health	149,487	209,623	208,722
Youth Programs:			
High Risk Youth Program (new program)	6,000	7,000	7,000
Youth Substance Abuse Prevention Initiative (CSAP)	55,993	61,652	61,652
Total, Youth Programs	61,993	68,652	68,652
Total, SAMHSA	$211,480	$278,275	$277,374

1/ Amounts reflect targeted programs/initiatives specifically for Children.

	Actual	Estimate	Estimate
Total by Center – Funding for Direct Activities only per HHS table			
CMHS	78,788	123,893	120,244
CSAP	99,431	104,763	98,173
CSAT	33,261	49,619	58,957
Total SAMHSA	211,480	278,275	277,374

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